

Tab

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: New Application- Bethel Spirits,  
LLC, License #5385

This is a new application for a package store license in Bethel, Alaska. The City of Bethel protests and some individual objections have been received. The State Fire Marshal has not completed its review. The board has received additional correspondence in support of the applications.

Date Notification sent to City of Bethel: April 6, 2015

Resolution of Assembly received: May 1, 2015

City of Bethel Meeting Held: June 9, 2015 (3 AAC 304.145(d) requirement)

Basis for Protest: Multiple grounds for protest set forth in City of Bethel Assembly Resolution Number 15-08

Inquiry for the Board: Is the City of Bethel protest arbitrary, capricious and unreasonable?

Recommendation: If ABC Board determines City of Bethel protest is not arbitrary, capricious and unreasonable, uphold protest

Action on protest: Denial of application for new license per AS 04.11.480(a)

If the Board denies the City of Bethel's protest, it must then consider the objections and letters of support. The Board has the authority to hold a hearing to consider objections to an application per AS 04.11.510(b)(2) and 3 AAC 304.150(a)(1). The purpose of the hearing would be to ascertain the reaction of the public to an application. The



recommendation of the director would be for the board to set any further hearing related to this application in Bethel, Alaska, in order to be accessible to the public affected by the board's decision.

Documents attached in this tab include the City of Bethel's protest in the form of a Resolution from the Bethel City Council, an email from the Bethel City attorney referencing a hearing before the local governing body, a letter from the applicant's attorney, written testimony from Ana Hoffman of the Bethel Native Corporation at four separate city council or town hall meetings, public objection letters, and a summary of all correspondence received relating to the application by ABC investigator Steven Johnson. The letters of support relating to Bethel Spirits' application are under Tab 4 as written public testimony.

Introduced by: Vice-Mayor Albertson  
Date: April 28, 2015  
Action: Passed  
Vote: 4-3

## *CITY OF BETHEL, ALASKA*

### **Resolution # 15-08**

#### **PROTESTING THE ISSUANCE OF A PACKAGE STORE LICENSE TO BETHEL SPIRITS, LLC. DOING BUSINESS AS BETHEL SPIRITS-LICENSE ID #5384, LOCATED AT 905 CHIEF EDDIE HOFFMAN HIGHWAY, SUITE B, BETHEL, ALASKA**

**Whereas,** the results of the Special Election held January 19, 2010 indicate that 287 voters favor and 498 oppose the issuance of package store liquor licenses in the community;

**Whereas,** the Kipusvik building set out in the application for a package store license is located across the street from the State's Juvenile Justice Facility which offers educational courses from Lower Kuskokwim School District's approved curriculum;

**Whereas,** Alaska Statute 04.11.410 prohibits the operation of a package store within 200 feet of a school building as measured by the shortest pedestrian route from the outer boundaries of the school ground;

**Whereas,** Bethel Municipal Code 5.08.011 prohibits a package store within 300 feet of school buildings, measured by the most direct route of travel on the ground, from the main parking lot entrance of the establishment in a straight line, regardless of obstructions to the nearest public sidewalk, walkway, street, road or highway by the nearest route, to the nearest portion of the school grounds;

**Whereas,** Alaska Statute 04.11.150 (e) prohibits the business premises occupied by a package store to be connected by a door, opening, or other means of passage intended for the access of the general public to an adjacent retail business not also licensed under AS Title 4, unless approved by the board;

**Whereas,** Kipusvik contains a movie theater, which shares the same main entrance as the proposed liquor store;

**Whereas,** the Kipusvik building has an open floor plan with a shared entrance that offers patrons tables and chairs similar to that of a cafeteria and presents an opportunity for loitering in a public space in the vicinity of proposed alcohol sales;

**Whereas,** at the March 24, 2015 Bethel City Council meeting, 43 people provided public testimony on potential sales of alcoholic beverages in the community, and 37 people spoke in opposition;

Introduced by: Vice-Mayor Albertson  
Date: April 28, 2015  
Action: Passed  
Vote: 4-3

**Whereas,** in 2014 the Bethel Fire Department Emergency Medical Services Unit reported a majority of the calls for service were for individuals under the influence of alcohol;

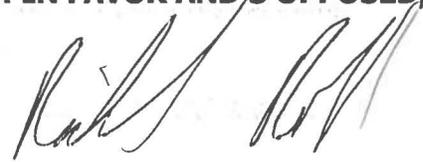
**Whereas,** Police Department figures for 2014 show the number of calls for "Intoxicated Pedestrians" to be 3,198 out of a total of 9,844 calls for the year, representing 32.49% of the total calls received by the department;

**Whereas,** the Police Dispatch Center reported a majority of their calls for service were alcohol related;

**Whereas,** the City protest stands based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel municipal Code or State Statute violations;

**NOW, THEREFORE, BE IT RESOLVED** the Bethel City Council does hereby protest the application for the above identified package store license and requires the City Clerk to send this resolution to the Alcohol Beverage Control Board by June 5, 2015.

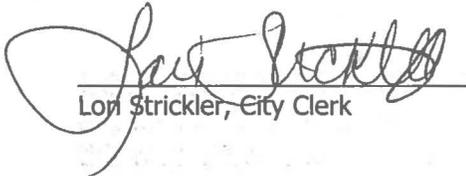
**ENACTED THIS 28th DAY OF APRIL 2015, BY A VOTE OF 4 IN FAVOR AND 3 OPPOSED,**



Richard Robb, Mayor

4/28/2015

ATTEST:



Lori Strickler, City Clerk

**From:** [Sawyer, Jane Preston \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** FW: Bethel Spirits and Northwest Company Applications  
**Date:** Wednesday, May 27, 2015 10:05:04 AM

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*Jane*

**From:** Patty Burley [mailto:pburley@cityofbethel.net]  
**Sent:** Wednesday, May 27, 2015 9:40 AM  
**To:** Sawyer, Jane Preston (CED); Franklin, Cynthia A.  
**Cc:** Lori Strickler  
**Subject:** Bethel Spirits and Northwest Company Applications

Per the requirements of 3 AAC 304.145, the City of Bethel notified both applicants, Bethel Spirits and Northwest Company, of their right to defend their application before the local governing body. The matter was scheduled for May 26 at 6:30 pm.

On May 15, 2015, Ms. Anna Hoffman of Bethel Spirits, contacted the City, in writing, and requested the matter be continued until the next regularly scheduled meeting. The request was granted the same day. Bethel Spirit's right to defend their application has been rescheduled to June 9, 2015 at 6:30 pm before the Bethel City Council.

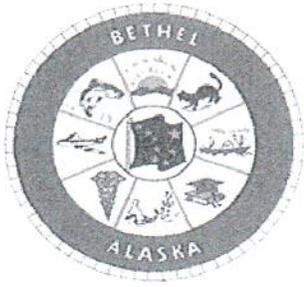
On May 26, 2015, Northwest Company appeared before the Bethel City Council and requested the matter be continued until the next regularly scheduled city council meeting. The request was granted. Northwest Company's right to defend their application has now also been rescheduled to June 9, 2015 at 6:30 pm before the Bethel City Council.

Both parties have been notified. Bethel Spirits was notified in writing and confirmed receipt of the notice and Northwest Company was notified orally at the May 26 hearing which they attended.

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*Patty Burley*  
*Bethel City Attorney*

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# CITY OF BETHEL

P.O. Box 1388 Bethel, Alaska 99559

907-543-1385

Fax 907-543-2936

May 5, 2015

Anastasia Hoffman  
Bethel Spirits, LLC  
Bethel Native Corporation  
P.O. Box 719  
Bethel, Alaska 99559

Re: Package Store License Application # 5385

Dear Ms. Hoffman:

As per the Council's Resolution 15-08, passed April 28, 2015, and in accordance with 3 AAC 304.145, you will be provided a reasonable opportunity to defend your application for a package store license before the Bethel City Council.

Bethel Spirits LLC, is being provided up to ten minutes to present their defense of their package store license application during the May 26, 2015, regular City Council meeting. The meeting will be held at 300 State Highway, Bethel, AK in the Council Chambers and will begin at 6:30p.m. The agenda for this meeting will be posted to the City of Bethel's website, [www.cityofbethel.org](http://www.cityofbethel.org) on Thursday, May 21, 2015.

Respectfully,

Lori Strickler,  
City Clerk

cc: Alcohol Beverage Control Board

June 17, 2015

Alcoholic Beverage Control Board  
550 West 7th Avenue, Suite 1600  
Anchorage, AK 99501

Re: Bethel Spirits LLC's Liquor License Application

Dear Members of the Board:

The Bethel City Council's (the "City Council") policy of protesting *every* liquor license application, regardless of particular facts, within the City of Bethel, a wet community, is arbitrary, capricious and unreasonable. Bethel Spirits' application for a package store license meets all requirements under state statutes and regulations and Bethel city ordinances. Since the only basis for the City Council's protest is the City Council's explicit intent to frustrate implementation of the City of Bethel's legal status as a wet community under Title 4, the Board must overrule the protest and grant the application. Title 4 does not allow the governing body of a wet community to overrule a local option election lawfully conducted and certified under Title 4. Moreover, Title 4 does not provide a local option in which legal sales are prohibited in a community while unlimited quantities of alcohol are allowed to be imported. The City Council's protest has no reasonable factual basis because the application meets all legal requirements, and it is contrary to law because it creates a de facto local option not provided for by law.

### Background

On October 6, 2009, the residents of the City of Bethel, in a local option election conducted in accordance with Title 4, voted to be wet.<sup>1</sup> Between October 6, 2009 and February 9, 2010, six local establishments applied for liquor licenses.<sup>2</sup> The City Council adopted an ordinance setting out legal requirements to obtain a license on January 12, 2010.<sup>3</sup> On January 19, 2010, the City Council held an advisory vote, which had no statutory sanction under Title 4, asking residents a series of general questions, including whether the City should "support a liquor license application for a liquor store" in the City of Bethel, which question mischaracterizes the City Council's role in the granting of liquor licenses under Title 4.<sup>4</sup> Following the advisory vote, the City Council protested all six applications, which protests

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<sup>1</sup> City of Bethel Resolution 09-40; City of Bethel Ordinance 09-20.

<sup>2</sup> See Alcoholic Beverage Control Board website by searching for "Bethel" at <http://commerce.state.ak.us/dnn/abc/ABCLicenseSearch.aspx>.

<sup>3</sup> City of Bethel Ordinance 09-44.

<sup>4</sup> See City of Bethel Resolution 10-07; City of Bethel Ordinance 09-40.



were upheld by the Board.<sup>5</sup> On May 4, 2010, the voters of the City of Bethel held a second statutory local option election under Title 4.<sup>6</sup> Again, the residents of the City of Bethel, exercising specific rights vested exclusively in them under state law, elected for the City of Bethel to remain wet.<sup>7</sup>

Although wet for five and a half years, there are still no legal alcohol sales in the City of Bethel.<sup>8</sup> Yet, alcohol pours into the community at unprecedented levels, and bootlegging is rampant.<sup>9</sup> The Board itself estimates that in the first quarter of 2015 alone, customers in the City of Bethel purchased the equivalent of 1,100 bottles of liquor in large orders.<sup>10</sup> No one can reasonably believe this volume of alcohol is being imported for the personal consumption of the purchasers.

On April 6, 2015, Bethel Spirits LLC submitted its application for a package store license in the City of Bethel, on premises owned by an affiliated company. The application meets all requirements set out by the Board, and the proposed premises meet all applicable state and city legal requirements.

On April 28, 2015, the City Council, by a 4-3 vote, adopted a resolution protesting the application. We understand that the resolution has been filed with the Board as the City Council's protest to Bethel Spirits' application. The protest identifies no legal infirmities or deficiencies with Bethel Spirits' application. Making explicit that the City Council's sole basis for protesting the application is its intent to obstruct implementation of the City of Bethel's legal status under the state's alcohol laws and not any fact specific to Bethel Spirits' application, the resolution states that "the City protest stands based on the opposition of the people of Bethel, *regardless of the presence or lack thereof of Bethel municipal Code or State Statute violations.*"<sup>11</sup>

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<sup>5</sup> City of Bethel Resolutions 09-55, 10-03, 10-04, 10-05, 10-06, 10-16; Alcoholic Beverage Control Board Agenda Minutes, February 26, 2010, at page 14, available at [http://commerce.state.ak.us/dnn/Portals/9/pub/Minutes/2010/Minutes\\_022610.pdf](http://commerce.state.ak.us/dnn/Portals/9/pub/Minutes/2010/Minutes_022610.pdf).

<sup>6</sup> City of Bethel Resolution 10-32; City of Bethel Ordinance 10-01.

<sup>7</sup> City of Bethel Resolution 10-32; *see also* AS 04.11.491(a), which provides that a municipality can adopt a local option only if a majority of the persons voting on the question vote to approve the option.

<sup>8</sup> *See* Lisa Demer, *As debate over liquor store rages, Bethel awash in alcohol even without legal sales*, available at <http://www.adn.com/article/20150406/debate-over-liquor-store-rages-bethel-awash-alcohol-even-without-legal-sales> (April 6, 2015).

<sup>9</sup> *See id.*; Ben Matheson, *A Moving Target: WAANT Pursues Bootleg Liquor*, available at <http://kyuk.org/a-moving-target-waant-pursues-bootleg-liquor/> (April 23, 2015).

<sup>10</sup> Ben Matheson, *A Moving Target: WAANT Pursues Bootleg Liquor*, available at <http://kyuk.org/a-moving-target-waant-pursues-bootleg-liquor/> (April 23, 2015).

<sup>11</sup> City of Bethel Resolution 15-08.

The means by which the City of Bethel may regulate alcohol are set forth in Title 4 of the Alaska Statutes, several features of which are critically relevant to the protest at hand.<sup>12</sup> First, Title 4 sets forth specific local options which are the exclusive means by which a community may ban the local sale of alcohol.<sup>13</sup> If the local options explicitly set out under Title 4 are not *exclusive* and municipalities like the City of Bethel may regulate alcohol sales differently than as explicitly set out by statute, the statutory options are meaningless.<sup>14</sup> No local option provides for prohibited local sales with unlimited importation, the situation which the Board has allowed to exist in the City of Bethel.<sup>15</sup>

Second, Title 4 vests the registered voters of a city with the exclusive power to determine the city's legal status under the local option laws.<sup>16</sup> Third, the statute explicitly sets forth the procedures, to the point of dictating the ballot language, by which the registered voters may exercise the power to determine the city's legal status under the local option laws.<sup>17</sup> In accordance with these statutorily mandated procedures, the voters of the City of Bethel voted twice in the last five and a half years for the City of Bethel to be a wet community under Alaska law.

Under Title 4, the Board is required to deny an application protested by the local governing body unless it finds the protest to be "arbitrary, capricious, and unreasonable."<sup>18</sup> A protest is arbitrary, capricious and unreasonable unless it has a reasonable factual basis and is consistent with law.<sup>19</sup> A protest by a municipality, resulting from an administrative determination, that is not based on, and instead explicitly disregards, an analysis of the relevant

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<sup>12</sup> See AS 29.35.080(a) ("A municipality may regulate the possession, barter, sale, importation, and consumption of alcoholic beverages under AS 04.11.480 - 04.11.509 and AS 04.21.010.").

<sup>13</sup> See AS 04.11.491(a) (prescribing five local options); AS 29.35.080(a) (exclusive statutory authority for a municipality to regulate the possession, barter, sale, importation and consumption of alcoholic beverages, limiting such authority and regulation exclusively to the provisions set forth in AS 04.11.480–04.11.509 and AS 04.21.010, i.e., the local option statutes).

<sup>14</sup> See *State v. Frazier*, 719 P.2d 261, 262 (Alaska 1986) ("It is also a basic rule of construction that a statute should be construed to give effect to all of its provisions. No part should be read as inoperative, superfluous, void or insignificant.") Allowing municipalities to create their own, unique local options without statutory basis renders the comprehensive local option scheme meaningless. The Alaska Supreme Court's goal is "to give effect to the legislature's intent, with due regard for the meaning the statutory language conveys to others." *Rollins v. State, Dept. of Revenue, Alcoholic Beverage Control Bd.*, 991 P.2d 202, 208 (1999).

<sup>15</sup> See AS 04.11.491(a) (prescribing the five local options); AS 04.11.491(g) (where local sales are prohibited, importation is also restricted); AS 04.11.150(g) (same).

<sup>16</sup> See AS 04.11.491(a) ("If a majority of the persons voting on the question vote to approve the option, a municipality shall adopt a local option to prohibit . . . the sale of alcoholic beverages."); AS 04.11.509(a) ("If a majority of the voters vote to prohibit, change, or remove a local option under AS 04.11.491 - 04.11.495, the clerk of the municipality . . . shall notify the board of the results of the election immediately after the results are certified.").

<sup>17</sup> See AS 04.11.491–04.11.495 and AS 04.11.507.

<sup>18</sup> AS 04.11.480(a).

<sup>19</sup> See 3 AAC 304.145(a), (e).

facts is arbitrary and capricious.<sup>20</sup> A protest that is not based on logical and traditional grounds supported by the evidence is unreasonable.<sup>21</sup> The Alaska Supreme Court has never upheld the Board's denial of a liquor license for reasons having nothing to do with the specific application being protested.<sup>22</sup>

The City Council's decision to protest Bethel Spirits' application is arbitrary, capricious, and unreasonable on several grounds. First, to protest an application regardless of its content or merits is *the* legal definition of arbitrary and capricious. Second, to protest *every* application in order to frustrate implementation of the City Council's legal status under the local option laws is the very definition of not acting in compliance with the law. Third, it is unreasonable to rely on an advisory vote with no legal basis, relevance or meaning under a statute that explicitly sets out an exclusive election process by which the very subject of the advisory vote is legally required to be determined. Moreover, the advisory vote neither supports the City Council's protest nor properly construes the City Council's role in the statutory application process, since the City Council's "support" is not required for the grant of the application and the advisory vote was not to "oppose" the application. Fourth, because the power to allow legal sales of alcohol is vested by law in the registered voters who twice voted pursuant to statutory elections to allow them, the City Council's action of blocking all liquor license applications regardless of their merits is action not in compliance with law.

#### Applicant's Position

1. Protesting the application without consideration of its contents is arbitrary.

The City Council's decision to protest Bethel Spirits' application "regardless" of any legal deficiency is essentially to acknowledge that it is protesting the application without actually considering it. As a matter of basic administrative law, such action by the City Council is arbitrary and capricious *per se*.<sup>23</sup>

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<sup>20</sup> *Kachemak Bay Watch, Inc. v. Noah*, 935 P.2d 816, 822 (Alaska 1997) (decision is arbitrary and capricious when reached without weighing or analyzing evidence or where there is a failure to consider an important factor).

<sup>21</sup> See 3 AAC 304.145(a); *Stoltz v. City of Fairbanks*, 703 P.2d 1155, 1157 (Alaska 1985).

<sup>22</sup> See e.g., *Stevens v. State, Alcoholic Beverage Control Bd.*, 257 P.3d 1154 (Alaska 2011) (upholding denial of license renewal based on particular licensee's continued violation of local noise ordinances and disturbance of adjacent property owners); *Stoltz*, 703 P.2d at 1157 (upholding denial of particular licensee's request to move her bar because the new location was too close to a senior citizens housing complex and in an area which already contained a high concentration of bars); *State, Alcoholic Beverage Control Bd. v. Decker*, 700 P.2d 483 (Alaska 1985) (upholding denial of particular license because it would contribute to the teenage drinking problem at schools in the immediate vicinity and there were already a number of liquor stores in the area).

<sup>23</sup> See *Kachemak Bay*, 935 P.2d at 822.

Since the City Council explicitly acknowledges that its protest is not based on facts that render this *particular* application objectionable, the only way for the protest to survive the Board's regulations is for the protest to be based on "a general public policy," in which case the policy must satisfy three criteria: (i) it must have a reasonable basis in fact; (ii) it may not be contrary to law; *and* (iii) it may not be patently inapplicable to the particular application being protested.<sup>24</sup>

The City Council's protest cannot properly be grounded on general public policy because, as discussed further below, the policy of preventing the granting of any liquor license in a wet municipality is, on its face, contrary to law, namely Title 4. Moreover, the City Council itself has enacted an ordinance establishing the standards an applicant must satisfy in order to obtain a license. A public policy that categorically denies a license to applicants who meet the standards set forth in the ordinance is contrary to law on its face.

2. The City Council may not protest every application in order to prevent legal liquor sales in Bethel.

The City of Bethel is not under any statutory local option. A package store liquor license may be granted pursuant to Title 4, its implementing regulations, and the municipal ordinances that are consistent with them.<sup>25</sup> As a wet community, under applicable statutes and regulations, at least two package store licenses may be granted in City of Bethel.<sup>26</sup> By categorically protesting every liquor license application, the City Council is preventing the legal purchase and sale of liquor in the City of Bethel that is permitted by law.

By statute, municipalities have five local options, none of which allow for the prohibition of legal sales with unlimited legal importation of alcohol, the situation that currently exists in the City of Bethel. The City Council may not lawfully create its own "local option" merely because it disagrees with the local options provided by statute, and the Board is remiss to validate such a course of action. The City Council may urge the state legislature to amend Title 4 to provide additional local options; it may not deny people their rights under existing law merely because it disagrees with it.<sup>27</sup>

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<sup>24</sup> 3 AAC 304.145(e).

<sup>25</sup> See AS 04.21.010 ("An ordinance adopted under this section may not be inconsistent with this title or regulations adopted under this title.").

<sup>26</sup> See AS 04.11.400(a)(2) (allowing one package store license inside an incorporated city for each 3,000 population or fraction of that population).

<sup>27</sup> See City of Bethel Resolution 10-18 (even the City Council recognized that state legislative action was required to achieve this de facto sixth local option of banning lawful sales and allowing unrestricted importation).

3. The 2010 advisory vote cannot override two certified Title 4 local option elections.

Title 4 sets out the requirements for local option elections.<sup>28</sup> The statutes dictate the entire voting process, including the procedure to petition for and conduct an election, and even the precise language to be placed on the ballot.<sup>29</sup> The Board is notified of the results of the election immediately after the results are certified, and the Board then notifies the Department of Law and the Department of Public Safety.<sup>30</sup> As noted, the election procedures set out in Title 4 are the exclusive statutory means by which a municipality may ban the granting of liquor licenses within its boundaries.

Twice in the last five and one-half years the voters of the City of Bethel chose to be wet in accordance with the elections process set out in Title 4. In protesting Bethel Spirits' application, the City Council ignores these statutory votes and relies on an advisory vote with no legal significance or sanction under the statute or regulations of the Board. Such reliance is unreasonable *as a matter of law* where the statute explicitly states how the voters shall express their will on the legal availability of liquor licenses. For the Board to validate the City Council's protest on the basis of the advisory vote is to render the election procedures and results in Title 4 meaningless.

Apart from not being legally sanctioned, the City Council's reliance on the 2010 advisory vote is arbitrary and unreasonable on other grounds as well. For one, the vote obviously had nothing to do with Bethel Spirits' current application. In contrast, Bethel Spirits' current, specific application has the written support of almost the same number of Bethel residents who voted no in the 2010 advisory vote.<sup>31</sup> It is unreasonable to base a protest on an outdated generalized non-statutory advisory vote while ignoring hundreds of recent, specific letters of support properly submitted to the Board in connection with Bethel Spirits' application.<sup>32</sup>

Further, the language of the advisory vote – “whether the City should support a liquor license application for a liquor store” – misconstrues the City Council's role in the application process. The City Council's “support” is not required for an application to be granted. Rather, its “protest” is required to protest issuance of a license. Moreover, since the City Council could very well “not support” an application while at the same time not file a protest against it, the advisory vote fails to support the City Council's action on Bethel Spirits' application. Finally,

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<sup>28</sup> See AS 04.11.491–04.11.495 (describing the local options and how to change and remove them); AS 04.11.507 (describing the procedure for local option elections).

<sup>29</sup> See *id.*

<sup>30</sup> AS 04.11.509(a).

<sup>31</sup> See City of Bethel Resolution 10-07. All letters in support of Bethel Spirits' application have been submitted to the City Council and the Board. Additional letters of support are being received daily.

<sup>32</sup> See 3 AAC 304.035(a) (public comment may be submitted to the Board in writing by any person at any time).

the City Council's protest misconstrues the advisory vote as expressing "opposition" to Bethel Spirits' application, as it does nothing of the sort.

4. The power to decide whether liquor licenses will be legally available in the City of Bethel is vested in the voters, not in the City Council.

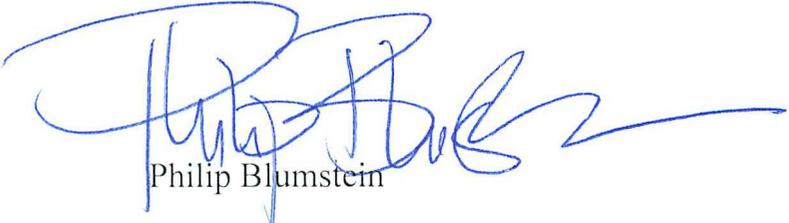
The City Council is protesting Bethel Spirits' application because the City Council does not want liquor to be sold legally in the City of Bethel. But the power to make this decision is vested by law in the voters, not in the governing body, of the community, and is expressed by an election process carefully dictated by statute. The legal process has resulted in the City of Bethel being a wet community, that is, one in which an applicant for a liquor license meeting the standards and requirements of state and city law is allowed to have its application considered and processed on its merits. The City Council's protest is based on its disagreement or dissatisfaction with the City of Bethel's status under Title 4. But the power to decide that status is not vested in the City Council, and therefore its protest must be rejected.

#### Conclusion

In enacting Title 4, the Legislature was not making suggestions to municipalities or to the Board; it was establishing specific local options to be enacted and administered in specific ways to achieve considered and specific objectives. The City Council's protest is an attempt to evade these specific laws by preventing the granting of liquor licenses in the City of Bethel through a means not authorized by law. The Board should not validate the City Council's evasion of the state's local option laws. Those laws provide the sole means by which the City of Bethel may lawfully ban the sale of liquor within the city. The voters of the City of Bethel have twice rejected doing so. The Board should reject the City Council's protest and grant the application. The people of the City of Bethel and the businesses that operate there, in a wet community, should enjoy the same rights and privileges as the people and businesses in other wet communities in the State of Alaska.

Very truly yours,

LANDYE BENNETT BLUMSTEIN LLP



Philip Blumstein

cc: City of Bethel

To: Bethel City Council  
Fr: Ana Hoffman, Bethel Native Corporation   
Dt: 3/24/15 (Regular City Council Meeting)  
Re: Public Hearing on Bethel Spirits (on Council's agenda)

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I am here to ask for your support of Bethel Native Corporation's efforts to pursue opportunities to continue to engage in viable economic development activities in Bethel. Over the last forty years, BNC has made significant infrastructure investments in this community to provide goods and services to both residents and shareholders. Last year the community celebrated the opening of the Kipusvik facility, this investment is consistent with BNC's business practice over the last four decades: building and investing in our home community.

Bethel Native Corporation continues to believe there is a market need for the Kipusvik facility to function as a retail operator space. There is also an opportunity to substantially upgrade the services in the facility. To that end, the Corporation has formed a wholly owned subsidiary company called Bethel Spirits LLC. This subsidiary is in the process of applying for a package store liquor license in Bethel. If the Alcohol Beverage Control Board approves the application, the liquor store would be enclosed within a small portion of the Kipusvik facility. Currently, there are plans to have a defined space for the package store upstairs in the back. The footprint for Bethel Spirits retail and storage space is approximately 2900 square feet, which is less than 1% of the overall facility.

Bethel Native Corporation is evaluating all options to bring retail operations back to Kipusvik but there is no tenant ready to take over the space at this time. Bethel has a state of the art facility, equipped to service a growing community, and this is a time of opportunity to provide retailers with the tools needed to maintain sales in the same way that they would be expected to operate in any other community of this size.

During the last council meeting, I was encouraged to hear City Council members discuss the need for the City to reach out to BNC to help facilitate more economic development and job creation opportunities. Bethel Spirits ability to acquire a liquor license will provide the City with a mechanism to collect sales tax and facilitate control over legal alcohol sales. We all know that the current situation in Bethel only perpetuates the rampant presence of illegal alcohol sales and continuing to ignore that reality helps no one.

The City of Bethel needs tools to collect taxes to provide basic services to the residents. The City is responsible for water and sewer utilities, public safety, parks and recreation facilities, street and road maintenance, landfill and recycling efforts and emergency response capacity. BNC works to ensure investments are sustainable and that we can continue to improve the quality of goods and services, and generate economic development in our home town. At this time, I think we can all appreciate the magnitude of the opportunity and realize that in order to continue to foster growth in this community we need to provide access to utilizing the tools we are eligible for.

The State of Alaska Alcohol Beverage Control Board has the authority to grant a liquor license for a package store within the City of Bethel. We have researched this opportunity and the application proposed by Bethel Spirits meets Alaska's statutory requirements and the location meets the additional stipulations established by the City Council and included in the Bethel Municipality Code. Bethel Spirits will be applying for a package store license in early April. I ask for your support and I look forward to working with the City of Bethel. Thank you for putting this on your agenda tonight. I appreciate the discussion, I respect your work and greatly value your service.

(Ana Hoffman presented this statement during the regular City Council meeting in Bethel on March 24, 2015.)

TO: Townhall Meeting scheduled by Bethel City Council  
FR: Ana Hoffman, Bethel Native Corporation   
DT: 4-6-15  
RE: Bethel Spirits (meeting attended by Cynthia Franklin, Director ABC)

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My name is Ana Hoffman. The question before this community is not whether we will have alcohol sales or not, the question is whether we are going to have legal sales that are regulated, OR just continue to only have illegal sales where taxis and shady hotels prey on people. On Saturday morning, right outside my house, there were four intoxicated people sitting behind a building, minding their own business when a taxi driver went out of his way and drove directly towards them, he stopped and opened his window. As I approached the scene, he suddenly drove away. The people sitting there did not flag him over, the taxi driver targeted them.

We have heard people speak in opposition to Bethel Spirits and talk about the destruction caused by alcohol, yet where is the public outcry when the ABC board meets to review the liquor licenses for Brown Jug and Gold Rush Liquors. The R&R bottles being sold by the local bootleggers are being packaged and shipped by them. Opening a liquor store in Bethel will actually stabilize this community and provide the City with a mechanism for support, through the collection of sales tax.

During the last City Council meeting there were requests for the City of Bethel to protest Bethel Spirits application based on a 2010 advisory vote while a few others asked the City to sponsor a new advisory vote. And although I firmly believe the public would vote in favor of opening this liquor store; the City's advisory vote approach is intrinsically flawed. How can the City protest any liquor license application when the basis of that protest includes the question "Should the City of Bethel support the City to apply for a liquor license and the operation of a city owned liquor store?" This presents a conflict of interest for the City and I'd caution both the City Council and the Alcohol Beverage Control Board from relying on this survey method. Your duty is to apply Alaska Statutes and municipal codes to the applications that comes before you.

I was born and raised in Bethel, and I've made a conscious decision to raise my family here. The problem of alcoholism is not unique to this area, but what we have done here is create an environment that perpetuates abusive habits. It is time for our community to mature and no longer be crippled by paternalistic mentalities.

We manage our lives in the most challenging of environments, we can handle a liquor store in Bethel and the area villages can handle it too. Let's give ourselves a little credit. We are capable, sophisticated, adapting people.

Recently someone asked me about the issue of genetics and the supposed predisposition Alaska Natives have to addiction. My response to him was this, I cannot change the genetics I have in me or the genetics in my sons. Their genes are set, but what I can do is provide my boys with the tools to live in their surroundings and then it will be up to each one of them to decide how he will live his life.

(Ana Hoffman presented this statement during the town hall meeting in Bethel 4.6.15)

To: Bethel City Council  
Fr: Ana Hoffman, Bethel Native Corporation   
Dt: 4/28/15 (Regular City Council Meeting)  
Re: City Council Resolution 15-08 (on Council's agenda)

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I am speaking in opposition to Resolution 15-08, A Resolution Protesting the Issuance of a Package Store License to Bethel Spirits LLC.

The first whereas in this resolution refers to results from the 2010 advisory vote. As we have heard, that vote was confusing, some people thought they were voting to return to local option and the survey included the question of a City run liquor store, which you've recognized is problematic. Additionally the advisory vote was non-binding and not enforceable, it was purely a public survey. I would argue that the results of that advisory vote should not govern your ability to decide your position regarding the applications in front of you today.

The resolution goes on to discuss the distance from the Kipusvik building to the State of Alaska Dept of Juvenile Justice Facility. The Bethel Youth Facility is a detention center, inmates receive instruction there, but you cannot enroll your children as you would with any other public or private school. The youth in that facility are court ordered to be there, they are in the Dept of Juvenile Justice custody. I've contacted LKSD and confirmed that BYF is a Department of Corrections facility. The building is not insured by LKSD and is not maintained by LKSD. BYF does not fit the school grounds definition provided in the BMC.

The BMC also describes how the distance measurements should be taken and it clearly states "distance shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:

1. From the main parking lot entrance of the establishment from which alcoholic beverages are sold or offered for sale;
2. In a straight line, regardless of obstructions, to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
3. To the main entrance of the church building or to the nearest portion of the school grounds."

The City resolution 15-08 claims the main parking lot entrance of the proposed package store is 102 feet from the State's Juvenile Justice Facility, but the City's measurement was not done accurately. The City measured from the stop sign at the entrance of our property, not the entrance of the parking lot. This map shows where the measurement should begin. A parking lot is defined as "an area outside a building for parking cars, trucks, etc." Following the BMC instruction, the distance from the Department of Correction's grounds to the entrance of our

parking lot is 446 feet. Additionally, if you measure according to AS, the distance is expanded further to 516 feet. Bethel Spirits is in compliance with both the BMC and AS.

The City resolution then references AS 04.1.150(e) prohibits the business premise occupied by a package store to be connected by a door, opening or other means of passage intended for the access of the general public to an adjacent retail business not also licensed under AS Title 4, unless approved by the board. Well don't worry, Bethel Spirits store will not provide a "means of passage" to other retail businesses in the facility. It will be enclosed within the facility with its own entrance, just like what you would see at Costco, Fred Meyers, Safeway, or any other facility you have been to in Alaska. You will not need to walk through Bethel Spirits to get to the theater or other retail space in the facility.

Lastly on the local news, I heard one of the council members say they would protest the applications because "there's a lot of private corporate gain to be had, and not much tax revenue." This statement is problematic on many levels. Whether or not you as a city will be able to extract profitable gain should never be a consideration of yours when things come before you. The City of Bethel is a non-profit municipality.

Beyond that, does the City Council really want to discourage the growth of private enterprise in Bethel? Do you want to impede businesses from operating here and investing here? The reality is that alcohol sales are happening now, the presence of illegal sales is undeniable and not a cent is taxed. We have quite possibly created the most un-healthy environment imaginable, unlimited importation and no mechanism for legal sales. Allowing for the issuance of a liquor license enhances control and regulation over the current system of chaos.

The City Council must have envisioned a time when there would be legal alcohol sales here, an entire section of your BMC is dedicated to implementing the sale of alcoholic beverages. The BMC spells out the allowable hours of operation, no sales on Sunday, no sales on Lincoln and Washington's birthdays, no sales on the 4<sup>th</sup> of July or thanksgiving or Christmas or labor day or memorial day or new year's day. The City has prepared for this day and it is here.

Bethel is not a local option community, as the Director of the ABC board stated during a recent public meeting, Bethel is WET, WET, WET. The question before you is this... are the residents of Bethel going to be subject to the same laws, regulations and expectations that other residents of Alaska enjoy or not? Please consider supporting the Bethel Spirits application and bringing some order, stability and visibility to this community and this region. Thank you.

(Ana Hoffman presented this during the City Council meeting on April 28, 2015. In response, the City Council removed the reference to 102 feet of distance contained in the original resolution. The City Council also added the statement that they will protest regardless of any presence or lack of violations.)

To: Bethel City Council  
Fr: Ana Hoffman, Bethel Native Corporation   
Dt: 6/9/15 (Regular City Council Meeting)  
Re: Public Hearing on Bethel Spirits (on Council's agenda)

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Thank you for the invitation to defend Bethel Spirits application for a package store liquor license. Bethel Spirits submitted its application to the ABC Board on April 6, 2015. Twenty two days later, on April 28, the City Council passed resolution 15-08 by a vote of 4 to 3. I attended that meeting and articulated my concerns with the components of the resolution at that time. My objections are on record so I will not reiterate my previous comments here tonight.

What I would like to say is this, my invitation is require by law. Alaska Statures states "a local governing body that protests an application shall allow the applicant a reasonable opportunity to defend the application before a meeting of the local governing body." A reasonable opportunity... several council members have stated that they would oppose any and all applications for liquor licenses until there is a new advisory vote, to update the five year old advisory vote. But the new advisory vote will be scheduled at a time that is most convenient and most affordable to the City of Bethel, regardless of any statutorily prescribed timelines. The reasonable opportunity has been absent from the beginning.

Before Bethel Spirits even submitted its application to the ABC Board, the City Council hosted a public hearing about Bethel Spirits on March 24, 2015. During that meeting, the City sites 37 people spoke in opposition to the potential licensing of alcohol sales in Bethel. But more specifically the majority of those individuals spoke about their general belief that alcohol is bad and every one of those speakers acknowledged the presence of illegal sales in Bethel. Again the question before the City Council is whether or not you are going to support legal, regulated alcohol sales or simply, through inaction, continue to tolerate illegal sales.

One of the arguments I heard from this council to justify a vote protesting Bethel Spirits was that bootlegging would still be present because bootleggers only sell to those individuals who cannot legally purchase alcohol from Anchorage.

Last month I was walking along the river bank and I came across three adult residents of Bethel sitting together sipping a bottle of R&R and I realized, it is not just people living in dry villages that are buying bottles from the bootleggers, it is not just people on probation or restricted by court ordered buying alcohol from bootleggers; it is people who do not have credit cards, who

don't have bank accounts, who don't have access to scanners or fax machines in order to send their IDs to liquor stores in Anchorage, it is people who can't afford to buy in bulk, it is people who operate in a minimal cash economy, in essence we are forcing the most disenfranchised in our community to purchase the most inflated product.

To date, over 400 letters of support for Bethel Spirits package store have been submitted to the ABC Board and the City of Bethel. In the process of gathering these letters, I heard a few comments and perspectives that I'd like to share. One person said, "I support the opening of a liquor store because I would like to see a time when young adults from this area can sit down and have a can of beer instead of only being exposed to alcohol through bottles of whiskey." Let me drive this comment home with my own experience. In the 1980's I was visiting my grandmother's village, walking with my cousins on the boardwalk when we came across three adult men, sharing a bottle of vodka. We exchanged a few words and they attempted to hand the bottle our direction. There I was, standing in a dry village, when Bethel was damp being offered a bottle of hard liquor, I was 13 years old. Now in 2015, this is still how young people are being introduced to alcohol in this region. We have created a perpetual cycle. Later in life, my first drink was from a can of beer in Anchorage where alcohol is legally bought and sold.

Another person stated the situation we have created in Bethel, allowing unlimited importation with no mechanism for legal sale only incentivizes people with bad intentions and we should create conditions in the economy that encourage good and legal intentions. He said, "when is the last time a bootlegger said, here you go, here's five dollars for the community." It is time that we confront these difficult questions with rational minds. You, as council members have a duty to review this application with logic and reason. I don't think Bethel Spirits has been afforded that basic expectation by the majority members of this council because it is uncomfortable.

The letters you see here represent a diverse cross section of our community and your constituency. They come from people who live across the slough and all the way up through Kasayulie subdivision. They were signed by people who are new to Bethel and others who have been here for over sixty years. Many people signing the letters repeated the statement, "it is time." One person even said "I'm sorry Ana that my generation didn't deal with it, we should have dealt with it but we didn't and now you have to." I am okay dealing with it... I am not okay continuing to do nothing about the current situation. Bethel is not a local option community. At one time I advocated for that, but that vote failed, twice. Bethel is wet and it is time to deal with it.

As I've stated before, Bethel Spirits application is compliant with Alaska Statutes and the Bethel Municipal Code regulations. There is overwhelming public support for a Bethel Spirits package store as demonstrated by over 400 letters of support. Clearly citizens of Bethel want to be governed by the same laws and regulations that all other Alaskans live by and enjoy. Knowing all of this, please reconsider your protest of Bethel Spirits package store application.

(Ana Hoffman presented this during the City Council meeting in Bethel on 6.9.15. The City Council did not respond.)



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Application for Bethel Spirits, LLC  
#5385- Summary of Letters by  
Investigator Steve Johnson

The Alcoholic Beverage Control Board (ABC) received numerous letters regarding a possible liquor license within the City of Bethel; namely License #5385 Bethel Spirits. The ABC specifically received 525 letters, all of which were examined and considered.

Of the aforementioned 525 letters 501 were written in support of the package store license application. 3 of those letters were from individuals not residing in Bethel, the remaining 498 letters were from residents of Bethel. The majorities of the support letters were in draft form and mentioned Bethel not being a Local Option community therefore having no mechanism for legal sales resulting in an inundation of illegal alcohol sales i.e. bootlegging.

The 24 remaining letters were written in objection to the liquor license application as well as any future applications. The objections covered a myriad of explanations as to why a liquor store should not be allowed. Of the objections written, detriment to public safety was recorded the most often. Other reasons for objections varied, including fear of increased Fetal Alcohol Spectrum Disorder (FASD) cases, increased addiction, lack of shelter services, underage access, the misperception of added revenue to the city, as well as creating more family issues, domestic violence incidents, and more social problems. One letter declared allowing a "[l]iquor business destroys Biblically based Christian living, yet another one states; "Bringing a liquor store will enhance NATIVE GENOCIDE, slowly killing our people."

In reviewing each individual letter it can be appreciated the community sought input into this process; some more passionate than others, but each individual ensuring their voice be heard.



Objections are broken out numerically as follows:

10 – Public Safety

4 – Family issues / Domestic Violence

2 – Anti-Christian / Social issues

1 – Fetal Alcohol spectrum Disorder

1 – Shelter Services

1 – Underage Access

1 – Misperception of added revenue

1 – Not in the City's best interest

1 – Increased addiction

1 – Effects on Local Option villages

1 – Unsure



# YUKON-KUSKOKWIM HEALTH CORPORATION

"Working Together to Achieve Excellent Health"

April 3, 2015

The City of Bethel  
The Honorable Richard Robb  
Post Office Box 1388  
Bethel, Alaska 99559  
Fax 907-543-5556

HAND DELIVERED & VIA TELEFAX

**Re: YKHC Opposes All Applicants for Liquor Licenses in the City of Bethel, Alaska.**

Dear Mayor Robb:

I, Dan Winkelman, on behalf of the Yukon-Kuskokwim Health Corporation (YKHC), oppose all applicants for liquor licenses within the City of Bethel, Alaska. This includes Bethel Native Corporation (BNC), doing business as, Bethel Spirits, located at 905 Chief Eddie Hoffman Highway, the Alaska Commercial Company and all other applicants.

## I. INTRODUCTION

By way of background, YKHC is a non-profit, tribal health organization providing healthcare to approximately 30,000 residents and visitors to the Yukon-Kuskokwim Delta in Western Alaska. We operate the region's only hospital, 5 subregional and 41 village health clinics in a roadless region the size of the State of Oregon. YKHC's headquarters is located in Bethel and the company has approximately 1,300 employees with an annual budget of approximately \$150 million.

The City of Bethel is a transportation and commerce hub for many Yukon-Kuskokwim Delta villages. Our winter weather in and around Bethel can be treacherous at times. It is not uncommon to have blizzards that lead to white out conditions with -30 degrees Fahrenheit or higher wind chills. Because Bethel is the only large community within our region, in many cases certain goods and services are only available in Bethel. Therefore, many villagers travel to and from Bethel via water, overland and air travel to go between villages and into the City of Bethel for the provision of health care, to purchase goods and services and for other related matters.

To protect the health and welfare of their villages from the ill effects of alcohol, many, if not all, villages surrounding Bethel elected to invoke local options under Alaska Statute 04.11.491 and prohibit the sale, importation and possession of alcoholic beverages.

**II. THE CITY OF BETHEL SHOULD OPPOSE ALL APPLICANTS AND PETITION THE ALCOHOLIC BEVERAGE CONTROL BOARD TO DENY ALL APPLICATIONS FOR LIQUOR LICENSES BECAUSE IT IS NOT IN THE BEST INTERESTS OF THE CITY OF BETHEL AND NEARBY VILLAGES**

**A. Alcohol Sales in the City of Bethel Will Likely Increase Alcohol-Related Crimes, Search and Rescues, Domestic Violence, Incarcerations, Accidents, Traumas and Fatalities to the Extent to not be in the Best Interests of the City of Bethel and Nearby Villages.**

Although retailers are trained to follow state law by not allowing purchases of alcohol to intoxicated persons, such sales of alcohol in the City of Bethel would likely increase intoxicated drivers in Bethel as well as boat and snowmachine drivers traveling between villages. This conduct is the very type that local option communities try to prevent. In effect, allowing Bethel alcohol sales would invalidate their village local option and increase alcohol-related injuries and violence.<sup>1</sup>

According to a 1997 comprehensive study in the Journal of the American Medical Association (hereinafter, "JAMA Study") "in remote Alaska, where injuries are the leading cause of death, residence in a wet village, which had no local restrictions on alcohol availability, was associated with higher rates of both total injury death and alcohol-related injury death among Alaska Natives."<sup>2</sup> According to the JAMA Study, "[t]he strength of the association was greatest for deaths due to motor vehicle injury, homicide, and hypothermia."<sup>3</sup> The JAMA Study concluded that, "[t]hese findings indicate that measures limiting access to alcoholic beverages in this region may decrease alcohol-related injury deaths."<sup>4</sup>

Sales of alcohol in the City of Bethel will likely increase alcohol-related search and rescues, domestic violence, incarcerations, accidents, traumas and fatalities within the City of Bethel and nearby villages. These types of incidents are not in the best interests of the City of Bethel and nearby villages.

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<sup>1</sup> Carla A. Campbell, et al. THE EFFECTIVENESS OF LIMITING ALCOHOL OUTLET DENSITY AS A MEANS OF REDUCING EXCESSIVE ALCOHOL CONSUMPTION AND ALCOHOL-RELATED HARMS, Am Jour. Prev Med, Vol. 37, No. 6, p.556, 562-64 (2009), summarizing seven studies that examined the effects of alcohol bans in tribal, nontribal, isolated and less-isolated communities concluding that:

The effectiveness of bans in reducing alcohol-related harms appears to be highly dependent on the availability of alcohol in the surrounding area. In isolated communities, bans can substantially reduce alcohol-related harms. *However, where alcohol is available in areas nearby those with bans, travel between these areas may lead to serious harms.*

Campbell at 564 (emphasis added).

<sup>2</sup>Michael G. Landen, et al., ALCOHOL-RELATED INJURY DEATH AND ALCOHOL AVAILABILITY IN REMOTE ALASKA, Jour. of the American Medical Assoc., Vol. 278, No. 21, p.1757 (1997).

<sup>3</sup> Landen at 1757.

<sup>4</sup> *Id.* at 1755.

**B. Law Enforcement, First Responders and Healthcare Providers Will Face an Increased Workload to the Extent to not be in the Best Interests of the City of Bethel and Nearby Villages.**

The workload of the personnel for the City of Bethel, State of Alaska and YKHC that conducts search and rescue operations, police, jail and fire protection and healthcare providers, will likely substantially increase to the extent to not be in the best interests of the City of Bethel and nearby villages. Indeed, according to a 1994 comprehensive study on the North Slope Borough by a Fellow with the U.S. Department of Health & Human Services, Indian Health Service, when measures are in place to limit access to alcoholic beverages, “[a] reduction was also evident in the number of alcohol-related calls received by the North Slope Borough Public Safety Office and in the number of alcohol-related visits reported by the Barrow hospital.”<sup>5</sup>

If liquor license applications are approved, it is likely that alcohol-related visits to YKHC’s hospital will increase. Many researchers agree that as “alcoholic beverage outlet density”<sup>6</sup> increases, excessive drinking and related harms like injuries also increase.<sup>7</sup> For example, when the City of Barrow banned possession of alcohol in 1994:

the number of alcohol-related visits reported by the Barrow hospital decreased. A total of 222 alcohol-related visits were reported in September and October of 1994, and this figure decreased to 37 visits in November and December of 1994 for an 83% reduction.<sup>8</sup>

Although the 1994 Barrow example is different from the City of Bethel’s current application before them to allow alcohol sales, by implication it supports the proposition that as alcohol becomes more readily available, alcohol-related injuries increase.

### III. CONCLUSION

Accordingly, for the foregoing reasons the City of Bethel should oppose all applicants and petition the Alcoholic Beverage Control Board to deny all liquor license applications because it is not in the best interests of the City of Bethel or nearby villages since its approval

<sup>5</sup> Michael P. Keiffer, ALCOHOL LEGISLATION AND ITS EFFECT ON SEVERE INJURIES ON THE NORTH SLOPE BOROUGH, [www.ihs.gov/MedicalPrograms/InjuryPrevention/documents/keiffer.pdf](http://www.ihs.gov/MedicalPrograms/InjuryPrevention/documents/keiffer.pdf), 129 (1994).

<sup>6</sup> Campbell at 556 stating that:

Alcoholic beverage outlet density refers to the number of physical locations in which alcoholic beverages are available for purchase either per area or per population. An outlet is a setting in which alcohol may be sold legally for either on-premises or off-premises consumption. On-premises settings may include restaurants, bars and ballparks; off-premises settings may include grocery and convenience stores as well as liquor stores.

<sup>7</sup> *Id.* at 565-66 concluding that:

Using a variety of different study methods, study populations, and alcohol measures, most of the studies included in this review reported that greater outlet density is associated with increased alcohol consumption and related harms, including medical harms, injuries, crime, and violence. This convergent evidence comes both from studies that directly evaluated outlet density (or changes in outlet density) and those that evaluated the effects of policy changes that had a substantial impact on outlet density, including studies of privatization, remonopolization, bans on alcohol sales and the removal of bans, and changes in density from known policy interventions and from unknown causes.

<sup>8</sup> Keiffer at 132.

will likely increase alcohol-related injuries, violent crime, lead to increased workload for first responders and other personnel, increased hospital emergency department wait-times, staff burnout and other societal ills.<sup>9</sup>

Respectfully Submitted,

YUKON-KUSKOKWIM HEALTH CORP.

A handwritten signature in black ink, appearing to read "Dan Winkelman", with a long horizontal stroke extending to the right.

Dan Winkelman, President & CEO

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<sup>9</sup> Campbell at 565-66.

**Sawyer, Jane Preston (CED)**

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**From:** Franklin, Cynthia A (CED)  
**Sent:** Monday, April 20, 2015 2:20 PM  
**To:** Sawyer, Jane Preston (CED); Oates, Sarah D (CED)  
**Subject:** FW: Bethel Liquor License Testimony  
**Attachments:** Testimony to the ABC Board.docx

Cynthia Franklin  
Director, ABC  
907-269-0351

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**From:** mark leary [<mailto:napaimute@gci.net>]  
**Sent:** Monday, April 06, 2015 11:19 AM  
**To:** Franklin, Cynthia A (CED)  
**Subject:** Bethel Liquor License Testimony

Please accept the attached as my testimony regarding the issuance of a liquor license in Bethel.

Please read carefully – I'm sure this is different than what you have been or will be hearing from the very vocal opposition.

Thank you.

Mark Leary  
PO Box 1983  
Bethel, AK 99559

Ph: (907) 545-2877

## Testimony to the ABC Board:

I'm sure you have been hearing a lot of testimony against having a liquor store in Bethel

### **There are already many liquor stores here.**

You can buy alcohol in Bethel anytime of the day or night – no ID required. No regulation what so ever.

I've started to document it. After the city council meeting where many testified against a liquor store, the next day in the AC parking lot I took pictures of a cab making an alcohol transaction. I've seen more since. Ask the airlines – especially ACE about the cab drivers that pick up cases of R & R whiskey.

And do you know what these unregulated liquor stores in Bethel sell?

Whiskey & Vodka in 750 ml plastic traveler bottles. Easy to transport - easy to conceal.

No beer No wine – nothing but hard alcohol. No choices.

I've long believed that this is what's killing our people or putting them in prison – the hard liquor that's the only thing available to them, whiskey, vodka, and oh - home brew. Go ask the inmates at the Yukon Kuskokwim Correctional Center. I bet not one of them will say they were drinking beer or wine when they committed their crime. The same with all the dead people if we could ask them.

I've been in search and rescue groups my entire adult life – both upriver and as a team leader here in Bethel. We have recovered many bodies over the years – 99% of them alcohol related deaths. Many had bottles of R&R whiskey on them or near them. I can still see each and every one of those lost people and name them. Good people that died before their time because of the way we drink.

Just this winter, after the trails on the River finally opened to Bethel – the trails to the bootleggers – we had 5 alcohol related deaths in less than a month.

1. An ATV crash above Bethel
2. A stabbing in Napaskiak
3. 3 on an ATV driving into an open hole and drowning

### **Do you know how we learn to drink here?**

Let me tell you. I was too young to remember what Bethel was like 40 years ago when there were bars and a liquor store but I can tell you what I've seen in the years since.

I grew up in a house with **0 alcohol** so the way I learned to drink was like everybody else around me. As a teenager my buddies (many of them dead or in prison now from alcohol) and I would put our money together and go buy a "jug" from a bootlegger. We'd go hide out somewhere and pass it around each one trying to drink at least their share. Then we'd see what happens. Sometimes it was OK – kind of fun – so we'd go buy another one. Drinking hard liquor until it wasn't fun anymore. There would be fighting, crying, crashing, and all forms of abuse towards each other and worse - **to Women.**

That's how we defined manhood in those early years. How drunk you could get and how much damage you could cause.

Some of us died. Some of us went to prison. A very few of us made it to college.

Our first night in Fairbanks - drinking age was 19 then. I met up with some of my buddies from high school basketball – guys from Toksook Bay and Aniak. We went to the liquor store right down the hill from UAF. Man, I'll never forget the first time going in a liquor store. We didn't know what all that stuff was! It was too confusing – too much to choose not just whiskey and vodka.

Well that night we picked the beer that had a moose on it cause we were all nukalpiaq – hunters; but after that it was all downhill because we weren't used to having to having alcohol so freely available.

Weekends we did the same thing we were used to doing at home. Drinking it all up as fast as we could. Losing control. Fighting, crying, breaking stuff- tearing up our dorm rooms. Then it became weekdays too.

Little by little most of us went home. We didn't know how to handle alcohol.

All that time guys in our dorm floor that grew up with alcohol were watching us making fools of ourselves. One day they talked to the few of us that were left:

**“You guys need to learn how to drink. Come over to our room tonight.”**

So we did. They mixed us some kind of drinks. They took a sip and put them down. Started a conversation. After several minutes of talking they'd take another sip. We'd copy them. It went on like this all night. Take a sip. Put it down. Talk. Tell stories. Take another sip. **Slow down.** We were learning. A few of us survived college like this.

Later I spent some time in the Middle Yukon, close to Galena where they have bars and liquor stores. I was so surprised to open a refrigerator in a fully Native house and see beer in there. **Beer that would stay for days at a time.** No need to gobble it up – there were liquor stores close by - at Last Chance & Galena. Made me think – why can't we (the People of the Lower Kuskokwim) be like this?

There are many people in Bethel, both native and non-native who can drink sociably, responsibly; - they've been exposed to something different than buying R&R from a bootlegger. They've learned. But they are quiet because the opposition is so vocal and passionate. If you speak in favor of a liquor store in Bethel you are viewed as having no heart for the People.

It's time for us to learn – to try something different. What we have now is not working. People are still dying. People are still going to prison. Probably more now than ever – more than they did 40 years ago when we had a liquor store in Bethel. We have the highest rates of every negative thing: crime, suicide, all forms of abuse, etc.

***Let's try it. Let's see if things get worse. Let's have a mechanism built in to any liquor license issued that if after 24 months if crime and death rates rise it be rescinded. If it does then we can always go back to the way we are now.***

Treating the People of this region like they're kids and don't know what's good for them.

Thank you.

Mark Leary

P.O. Box 1983

Bethel, Alaska 99559

Ph: (907)545-2877

## **Sawyer, Jane Preston (CED)**

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**From:** Franklin, Cynthia A (CED)  
**Sent:** Monday, April 20, 2015 2:21 PM  
**To:** Sawyer, Jane Preston (CED); Oates, Sarah D (CED)  
**Subject:** FW: Concerns for liquor licensing in bethel

Cynthia Franklin  
Director, ABC  
907-269-0351

**From:** Phillip Kopanuk [<mailto:phillip.kopanuk@yahoo.com>]  
**Sent:** Tuesday, March 24, 2015 11:11 AM  
**To:** Franklin, Cynthia A (CED)  
**Subject:** Concerns for liquor licensing in bethel

Cyndi Franklin,

I'm writing this letter in regards to the proposed liquor store that the Bethel Native Corporation plans on opening. I live in bethel and I'm opposed to this idea for several reasons. I believe that adding a liquor store to bethel would bring an increase in alcohol abuse, not only in adults but teenagers as well. Putting a liquor store in a region where people are prone to alcohol dependence without the adequate resources for help is absurd. Alcohol abuse causes many problems for not only bethel but the villages bethel serves. The decision to put an industry that's dangerous to our people will not only affect bethel, without a doubt people from the many villages around bethel will be taking advantage of this openly available market and bring it back to their villages to bootleg which is going to cause problems because most if not all are dry communities. Aside from bootlegging in the villages think of the Domestic violence, sexual assault, murder, drunk driving accidents, deaths from exposure because of passing out outside, suicide and countless other things that are going to happen. This isn't going to be a victimless decision because a lot of people are going to be hurt, and you can't tell their families and friends that it was all because the city needed more money. The homeless population is going to go up. How exactly is bethel or the villages around it prepared to cope with the rapid influx of problems? The jail is always over-crowded, the police response time is slow because in December I had to call the cops numerous times to remove guests from the Bethel Winterhouse and a few of them were violent and countless times the response time was an hour to an hour and a half because only a handful of cops were on duty and couldn't keep up with all the calls. I understand that individual adults have the right to drink if they want and that's their right, but on the other hand the people that don't drink or don't want to deal with the added problems have the right to be protected against this as well. Now that I talked about the adults what about the children? Alcohol is notorious for breaking homes apart, destroying families, careers, stealing innocence from children. How many stories are their out there of parents dropping their kids off to go party and not returning until days later. Do I really need to bring up all the stories of child abuse and neglect that I have seen in my own life to convince people of the problems alcohol brings? This is not the kind of homes we want our kids, nieces, nephews and cousins growing up in. In this day and age opening a liquor store isn't the only option for generating revenue, there's a whole industry dedicated to those struggling with alcohol and drug abuse to profit in. How about opening a new Substance abuse facility and putting more tax on the booze that's already making it there in crazy numbers. Your job as the leaders of our community is to be looking out for the welfare of the people and promoting a healthy lifestyle, not dropping a liquor store in the middle of a community that's just going to feed the addiction of so many people and cause havoc everywhere. I feel sad for all the people that will be that will be affected by this, especially the kids. Please think about the consequences that will follow this

decision and think about other ways to generate revenue, a liquor store is not the answer.

Sincerely,

Phillip Kopanuk

Sent from Yahoo Mail for iPhone



**NAPASKIAK TRIBAL COUNCIL**

P.O. Box 6009

Napaskiak, Alaska 99559

(907) 737-7364 • Fax (907) 737-7039

April 8, 2015

To: Alcoholic Beverage Control Board

Subject: Opposing Liquor License for Bethel, Alaska

From: Napaskiak Tribal Council

Dear Board,

The Napaskiak Tribal Council strongly opposes applications for liquor license(s) in Bethel to be approved. Napaskiak is located down river from Bethel just 6 miles away. The community of Napaskiak has direct impact from alcohol abuse even it is a "dry village" or a local option village which prohibits alcohol in the community.

We have had 2 murders and numerous criminal arrests that resulted from alcohol. Social issues such as child neglect, fetal alcohol syndrome, and many issues are such results from alcohol. We have 2 VPSO's that are assigned to Napaskiak and they are still over worked due to alcohol related issues. We had too many deaths that are alcohol related such as drowning.

With the support of this community the Napaskiak Tribal Council is opposing and protesting for the Alcoholic Beverage Control Board to NOT APPROVE OR ISSUE LIQUOR LICENSE TO ANY BETHEL APPLICANT(S).

Sincerely,

Stephen Maxie, Tribal Administrator

CC: Napaskiak Tribal Council

Tab

**6**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Expansion of Premises- Fairbanks  
Golf Course, License #3376

This is a request to expand the premises of the beverage dispensary license (BDL) and restaurant designation permit (RDP) operated at the Fairbanks Golf Course. The applicant also applied for a golf course license under AS 04.11.115 which is treated separately under the consent agenda.

Date Written Request Received: June 18, 2015

Expansion requested: Full BDL with RDP for entire golf course

Fairbanks North Star Borough approval: May 21, 2015 per licensee (received June 17, 2015)

Inquiry for the Board: Should BDL privileges and RDP extend to the entire course? Is the entire golf course for "dining purposes only" per 3 AAC 304.725 (a)(3)?

Recommendation: Deny because the entire golf course is not a restaurant per 3 AAC 304.725 and the activities of the course are "entertainment" per (c) of that regulation.

Note for Board: The issue of alcohol service on a golf course was the subject of extensive work by the stakeholder's group. Adjustments for golf course service are included in SB 99.

**From:** [Frank Eagle](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** Fairbanks Golf Course  
**Date:** Friday, May 22, 2015 11:33:37 AM

---

Sarah: Greetings. Last night the Fairbanks North Star Borough Assembly approved the expansion of our BDL and associated RDP to include the entire golf course. If I could get this on the agenda for the July 1st meeting of the ABC Board I would appreciate it. Hopefully the Golf Course license will also be on that agenda so at least we can proceed in one direction or another. At this point we are stuck in the fact that we can't serve anything on the course at all and it's killing us. Nobody understands what's happened. I know Cynthia was skeptical about the expansion concept but it still is the most practical solution for us in that we can have unaccompanied minors over the age of 16 present at social events such as weddings without having to have prescribed areas where they are allowed and alcohol isn't. I'm not sure this necessarily is a subject that needs to go in front of the Board and could just be approved by the Director since we have local government's approval, but with her hesitancy I don't think that will happen. I guess it doesn't hurt to ask. Please give me a call at your convenience and I can answer any questions and also find out the status of the Golf Course license. Thanks  
Frank

--

Frank Eagle  
Owner  
Lavelle's Bistro  
575 1st Avenue  
Fairbanks, AK 99701  
Office: 907-456-1669



Tab

**7**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: New Application- Kwamayne  
Darion Hopkins, License #5329

This is a new application for a package store license in Anchorage, Alaska. The application was protested by the MOA in the fall of 2014. This is the last available package store license for Anchorage allowed by AS 04.11.400(a).

Date Application Received: June 13, 2014

Date Notification sent to MOA: June 16, 2014

Date Protest of MOA received: August 7, 2014

First Board Meeting re: application: July 8, 2014- no one appeared for applicant, tabled

Second Board Meeting re: application: October 8, 2014- "friend" called during meeting- approved with delegation due to MOA protest

Date of last contact with applicant: Prior to submission of application on June 16, 2014

Date of last contact with applicant's "friend" speaking on his behalf: October 8, 2014

Inquiry for the Board: Is application stale?

Recommendation: If ABC Board determines that one year is too long to have delegated approval waiting on an applicant to get MOA protest lifted, board should remove delegated authority from director and vote to deny application based on MOA protest per AS 04.11.480(a)



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

August 7, 2014

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **August 5, 2014** took the following final action:

### APPROVED/NON-OBJECTION

#### Transfer of Ownership

- Restaurant/Eating Place  
-Panda Restaurant LL #3077

### PROTEST

#### New

- Restaurant/Eating Place  
-Wings N Things LL #5332  
-Pending completion of Administrative Site Plan Review, and approvals from Anchorage Fire Department and Building Safety.
- K & M Distributors LL #5329  
-Pending completion of Conditional Use Permit and approval from Anchorage Fire Department.

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Amanda K. Moser  
Deputy Municipal Clerk

Concur,

Barbara A. Jones  
Municipal Clerk

TO Whom IT MAY CONCERN A+A.B.C. Board

I, Kelly McDonald A resident OF Anch. For nearly 55 yrs.  
the Last 12 here in MTN. View, protest the suggested  
New Liquor store IN Glenn square Mall. I tried to  
get the Brown Dog Co. to do that & close the other  
2 stores. We have entirely too much MAPPING w/  
Alcohol in MT. view now. Between Louis MizeL Park  
AND Davis Park. I've done Comm. Patrol, AND the  
Problems we have are really getting out of hand  
w/ Fights, AND other ASSOCIATED issues.

Kelly McDonald  
Kelly A. McDonald  
Area wide Patrol  
404 N. KLEVIN ST. #3  
ANCHORAGE, ALASKA  
99508-1460  
cell 907-744-7678

**RECEIVED**

**AUG 18 2014**

**ABC BOARD**

11366

# New 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: July 1<sup>st</sup> to Dec 31<sup>st</sup>

SECTION A - LICENSE INFORMATION			FEES
<i>Office Use:</i> License Year: <u>2014- 2015</u>	License Type: PACKAGE STORE	Statute Reference Sec. 04.11.150	License Fee: \$750.00 Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$
<i>Office Use:</i> License #: <u>5329</u>			Fingerprint: \$ 51.50 <i>(\$51.50 per person)</i>
Local Governing Body: (City, Borough or Unorganized) Anchorage	Community Council Name(s) & Mailing Address: Mountain View Community Council 532 North Klevin Street #4 Anchorage, Alaska 99508		<b>TOTAL</b> \$901.50
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Kwamayne Hopkins	Doing Business As (Business Name): <b>K &amp; M Distributors</b>	Business Telephone Number: 912-257-5653	Fax Number:
Mailing Address: P.O. Box 243612	Street Address or Location of Premises: 3048 Mountain View Drive, Suite 110 Anchorage, Alaska 99508	Email Address: <a href="mailto:mjrrm@yahoo.com">mjrrm@yahoo.com</a>	
City, State, Zip: Anchorage, Alaska 99524-3612			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: Door more than 200 Ft from back gate of Clark Middle School	<i>Distance measured under:</i> ★ 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. ★ Not applicable	
Distance to closest church: More than 200 Ft.	<i>Distance measured under:</i> ★ AS 04.11.410 <b>OR</b> <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building ★ Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) ★ Diagram of premises attached		



# New Liquor License

## SECTION C – 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

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 D – 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):		Telephone Number:	Fax Number:
Corporate Mailing Address:	City:	State:	Zip Code:
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:

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
<del>Kwamayne Hopkins</del>	<del>Owner</del>	<del>100</del>	<del>JBER, Alaska (912)257-5653</del>	<del>912-257-5653</del>	<del>Jan 28, 1993</del>

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

# New Liquor License

## SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

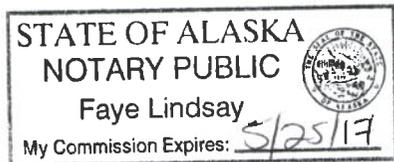
**Individual Licensees/Affiliates** (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: <u>Kwamayne Hopkins</u> Address: <u>JBER, Alaska</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: <u>912-257-5653</u> Work Phone:	Date of Birth: <u>1/28/1993</u>	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	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.

Signature of Licensee(s) Signature <u>Kwamayne Hopkins</u>	Signature of Licensee(s) Signature
Signature <u>Kwamayne Hopkins</u>	Signature
Name & Title (Please Print) Kwamayne Hopkins (Owner)	Name & Title (Please Print)
Subscribed and sworn to before me this <u>23</u> day of <u>May</u> , <u>2014</u>	Subscribed and sworn to before me this _____ day of _____, _____
Notary Public in and for the State of <u>Alaska</u> <u>Faye Lindsay</u> 5/25/17	Notary Public in and for the State of _____
My commission expires:	My commission expires:



STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: K&M Distributors

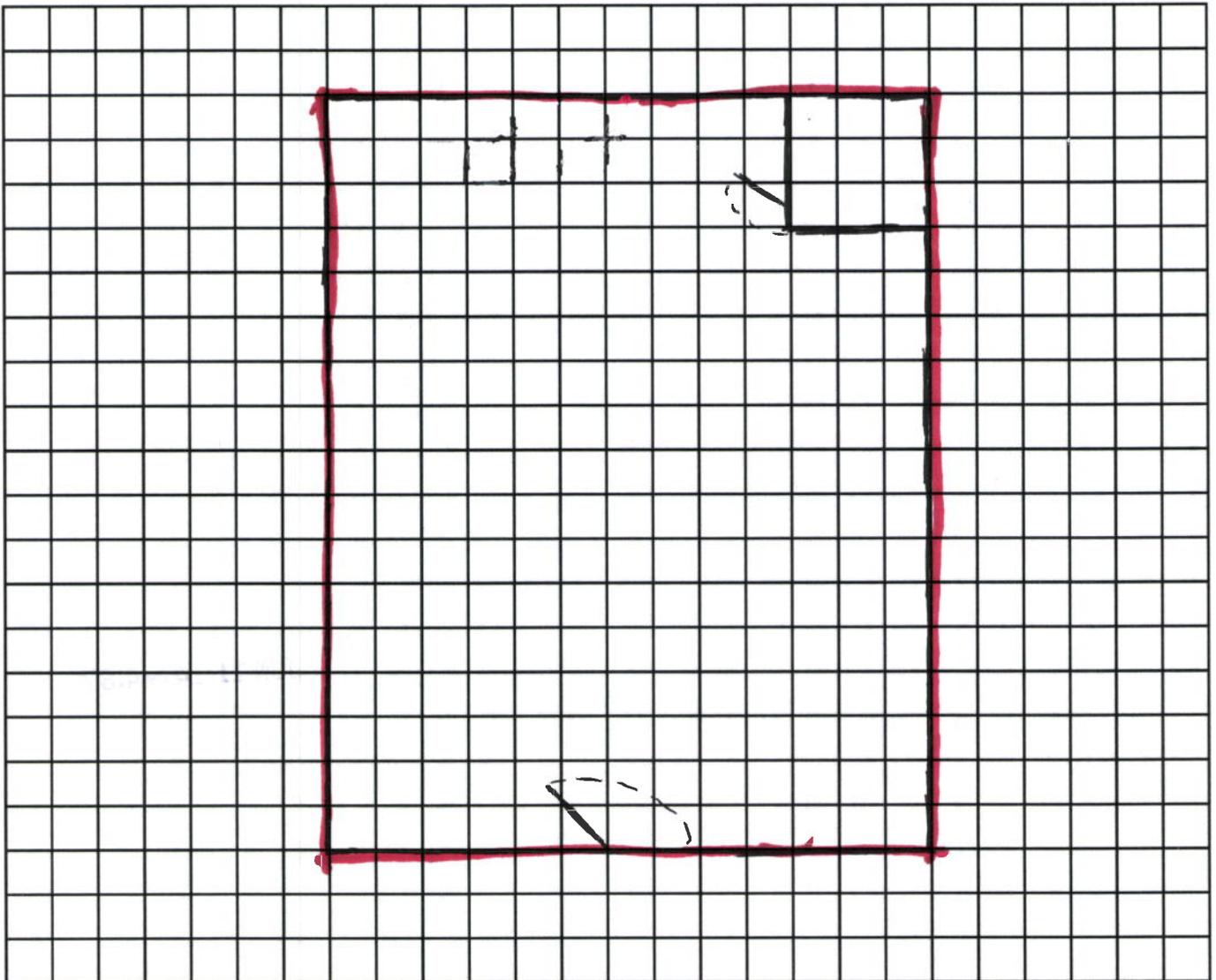
PREMISES LOCATION: 3048 Mt. View Drive 110 Anchorage, AK 99508

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: 1,022 1 SQ. = 4 FT.      SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet:

**Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.**  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



Tab

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: June 22, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Application for new license- Porter  
House Grill #5401

This was an application for a new restaurant/eating place license. The applicant, Steven Dolet, answered "no" to the question of whether the applicant had previously been convicted of a felony. The criminal history check revealed at least one prior felony conviction.

Based on the delegation authority in AS 04.06.080, the director temporarily denied the application. The denial was based on AS 04.11.320(a)(8) which states that "An application requesting issuance of a new license shall be denied if . . . (8) the application contains false statements of material fact." The letter sent by the director to Mr. Dolet temporarily denying the application is attached.

Question for the board: Whether to deny the issuance of the new license based on AS 04.11.320(a)(8).

Recommendation: Deny the application based on the statutory mandate that the application "shall" be denied if the application contains a false statement of material fact.



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7<sup>th</sup> Ave, STE 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

June 20, 2015

Steven Dolet  
DBA The Restaurant at Porterhouse Grill  
35590 Sterling Highway  
Sterling, AK 99672

Re: Application for License #5401

Dear Mr. Dolet,

You have applied for liquor license #5401. Based on my authority under AS 04.06.080, I am denying your application for this license.

The basis for the denial is AS 04.11.320(a)(8). The application contains a false statement of material fact. The application asks whether you have been convicted of a felony and you stated "no". Your criminal history reveals that you have been convicted of multiple felonies.

This matter will be placed on the agenda for the July 1, 2015 meeting of the Alcoholic Beverage Control Board. The board will make a final decision on your application. Please plan to appear at 12:50 p.m. before the ABC on July 1, 2015. The board will be meeting in Fairbanks, Alaska. You may appear by phone by calling the number on our website.

Sincerely,

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

Cynthia Franklin, Director  
Alcoholic Beverage Control Board

cc: License file  
Robert Klein, Chair, Alcoholic Beverage Control Board

# New Liquor License

License is:  Full Year OR  Seasonal List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015-2016</u>	License Type: <u>BEER AND WINE</u> <u>Restaurant Eating Place</u> <u>Public Convene</u>	Statute Reference Sec. 04.11. <del>100(G)</del> <u>100</u>	License Fee: \$ <u>600</u> Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$ <u>50</u> Fingerprint: <u>\$49.75</u> <i>(\$51.50 per person)</i> TOTAL <u>799.75</u>
Office Use: License #: <u>5401</u>	Local Governing Body: (City, Borough or Unorganized) <u>BOROUGH OF KENAI</u>	Community Council Name(s) & Mailing Address: <u>N/A</u>	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>Steven L Drolet</u> <u>The Restaurant at Porter House Grill LLC</u>	Doing Business As (Business Name): <u>THE RESTAURANT AT PORTERHOUSE GRILL</u>	Business Telephone Number: <u>907 953 8210</u> Fax Number:	
Mailing Address: <u>35590 Sterling Hwy</u>	Street Address or Location of Premises: <u>35590 Sterling Hwy Sterling Ak</u> <u>Highway</u> <u>STERLING, ALASKA 99672</u>	Email Address: <u>STEVEDROLET</u> <u>@HOTMAIL.COM</u>	
City, State, Zip: <u>STERLING, ALASKA 99672</u>			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>ONE mile</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <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.	
Distance to closest church: <u>Oh 1 1/2 mile</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input checked="" type="checkbox"/> Not applicable	
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		

# New Liquor License

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

(907) 263-5900  
Fax: (907) 263-5930  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

## SECTION C – 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

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 D – 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>THE RESTAURANT AT PORTERHOUSE GRILL, LLC</b>		Telephone Number: <b>832-316-2728</b>	Fax Number:
Corporate Mailing Address: <b>35590</b>	City: <b>STERLING</b>	State: <b>Alaska</b>	Zip Code: <b>99672</b>
Name, Mailing Address and Telephone Number of Registered Agent: <b>STEVEN L DROLET 35590 STERLING HWY, STERLING, ALASKA 99672</b>		Date of Incorporation OR Certification with DCED:	State of Incorporation: <b>Alaska</b>
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, attach written explanation. Your entity <i>must</i> 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
<b>STEVEN L DROLET</b>	<b>President</b>	<b>100</b>	<b>832-316-2728 35590 STERLING HWY STERLING, AK 99672</b>	<b>907 953 8310</b>	<b>09/26/57</b>

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

# New Liquor License

## SECTION E - 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: <b>STEVEN L DROLET</b> Address: <b>35590 STERLING Hwy STERLING, ALASKA 99672</b> Home Phone: <b>832-316-2728</b> Work Phone: <b>907-953-8210</b>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: <b>09/26/1957</b>	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.

Signature of Licensee(s) Signature	Signature of Licensee(s) Signature
Signature <i>U. Drolet</i>	Signature
Name & Title (Please Print) <b>STEVEN L. DROLET</b>	Name & Title (Please Print)
Subscribed and sworn to before me this <b>10<sup>th</sup></b> day of <b>April, 2015</b>	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska <i>Peggy S. Dye</i>	Notary Public in and for the State of Alaska
My commission expires: <b>11/20/15</b>	My commission expires:



Tab

**9**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: MJ Event on Licensed Premises-  
LED Ultra Lounge /Tri-Grill  
Licenses #4531, 4551 & 4552

This is a matter for board consideration of a planned marijuana event at a licensed premises. The director sent the licensee, Robert Alexander, a letter regarding potential Title 4 violations that will occur should the licensee hold the planned event.

Date letter from director sent: June 20, 2015

Date of planned event: July 1, 2015

Nature of planned event: "Charlo Greene presents Breaking into the Cannabis Industry"- see attached flyer.

Title 4 provisions implicated: AS 04.11.370(a)(7) and AS 04.11.370(a)(2)

Inquiry for the Board: Will holding a marijuana event on licensed premises where marijuana is sampled, consumed, or distributed result in a license suspension or revocation?

Recommendation: The ABC Board should make a strong statement that marijuana events should not be held on liquor licensed premises and if there is evidence that marijuana is consumed or distributed on liquor licensed premises it is grounds for revocation or suspension. Delegate authority to director to immediately suspend liquor licenses if it is discovered that marijuana is being consumed or distributed on liquor licensed premises with licensees' knowledge or permission.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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550 W 7<sup>th</sup> Ave, STE 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

June 20, 2015

Robert Alexander  
DBA LED Ultra Lounge and Grill #4551 and 4552, Tri-Grill, #4531  
2234 Stockdale Circle  
Anchorage, AK 99515

Re: Marijuana Event on Liquor Licensed Premises

Dear Mr. Alexander,

It has come to our attention that you are planning a marijuana event on your liquor licensed premises. I have included a copy of the event flyer in this letter. The event purports to be scheduled for July 1, 2015 at LED Ultra Lounge and is called "Breaking into the Cannabis Industry". The event flyer indicates that there will be "free giveaways" all night long from local growers, munchie makers and Autodabber, among others. Autodabber is a distributor of liquefied shatter pens. Shatter is an extremely concentrated form of marijuana.

Having a marijuana event on your premises at which marijuana is present is a violation of Title 4. AS 04.11.370(a)(7) provides that it is grounds for suspension or revocation of your liquor licenses if you use the licenses premises for illegal possessors or users of narcotics. Marijuana is a Schedule 1 narcotic in the Federal Controlled Substances Act. Under state law, is illegal to consume or use marijuana in public, including a business open to the public, under AS 17.38.040. Therefore, anyone using marijuana in any form in your business is an illegal user of narcotics.

The rules around commercialized marijuana are still under construction. This board and the newly formed Marijuana Control Board have yet to make rules about the interaction between liquor licenses and marijuana. Under AS 04.11.370(a)(2), the ABC Board could determine that if you insist on holding marijuana events on your liquor licensed premises, the continuation of the sale or service of alcoholic beverages on your premises would be contrary to the best interests of the public, and suspend or revoke your liquor licenses.

Please plan to appear before the Alcoholic Beverage Control Board on July 1, 2015 at 1:00 p.m. to explain to the board why you are holding an event distributing free marijuana and permitting public consumption of marijuana on your liquor licensed premises.

Sincerely,

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

Cynthia Franklin, Director  
Alcoholic Beverage Control Board  
Marijuana Control Board

June 20, 2015

Page 2

Sent via certified mail: 7013 2250 0000 9616 9766

cc: License files #4531, #4551, #4552  
Trina Johnson, Property Owner  
Robert Klein, Chair, Alcoholic Beverage Control Board  
Dick Traini, Chair, Anchorage Assembly  
Dennis Wheeler, Anchorage Municipal Attorney  
Chief Mark Mew, Anchorage Police Department  
Chris Schutte, Executive Director, Anchorage Downtown Partnership, Ltd  
Paul Nangle, President, Downtown Community Council

CHARLO GREENE  
PRESENTS

# Breaking into the Cannabis Industry



6PM: DOORS OPEN & NETWORKING BEGINS

TIPS FROM AN INDUSTRY LEADER/AN EDUCATIONAL & NETWORKING EVENT

THIS EVENT IS OPEN TO THE PUBLIC. YOU MUST BE 21+ TO ATTEND.



AKCANNABISCLUB.COM  
OR TICKETLEAP.COM



DISCOUNTED TIX FOR  
ALASKA CANNABIS CLUB  
MEMBERS

WEDNESDAY  
**JULY 1<sup>ST</sup>**

📍 **LED Ultra Lounge and Grill**  
901 W 6th ave. Anchorage, AK 99501

*Expect free giveaways all night from Advanced Nutrients, G-Pen, AutoDabber,  
Local Growers, Munchie Makers & Extraction Artists*

Sponsored by Advanced Nutrients



Tab

10



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: June 22, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Recreational Site License  
Regulation from 2013

In 2013, the Board considered creating a regulation governing interpretation of AS 04.11.210, Recreational Site Licenses. The Board ultimately decided to return to a strict statutory interpretation of the language in the statute and dropped the process to create a separate regulation. Board staff failed to close the open regulation file with the Department of Law.

Testimony re: Regulation: May 30, 2013

Special Board Meeting: June 11, 2013

Draft Regulation Presented: July 23, 2013

Regulation Updated: October 2, 2013

Testimony Received: December 10, 2013

Question for the board: Whether to close the open regulation file with the Department of Law promulgating a regulation for AS 04.11.210, Recreational Site Licenses

Recommendation: Take board action to close the open regulations file.

Tab

**11**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437

Hyun Ju Song & Kyong Teak Song  
DBA Spenard Paradise Inn & Lounge  
3001 Spenard Road  
Anchorage, AK 99503

June 1, 2015

Re: License #1139; Denial of Renewal by Alcoholic Beverage Control Board  
Effective May 29, 2015

**YOUR LIQUOR LICENSE HAS EXPIRED**

Dear Hyun Ju Song & Kyong Teak Song,

During the April 29, 2015 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board upheld the protest of the Municipality of Anchorage to the renewal of License #1139 held by Hyun Ju Song & Kyong Teak Song. The Board evaluated the protest submitted by the Municipality of Anchorage and voted to uphold the protest and deny the application to renew the license in accordance with AS 04.11.480(a).

The Municipality of Anchorage reported to us on Friday, May 29, 2015, that they are maintaining the protest because the tax debt has not been paid. That means that on that day, the provisional license issued to you expired and you do not have a liquor license. Please cease all liquor license operations immediately.

You are entitled to an informal conference with either the director or the board. If you are not satisfied by the informal conference, you are then entitled to a formal hearing conducted by the office of administrative hearings in accordance with AS 44.62.330- 44.62.630 (Administrative Procedures Act).

Please advise whether you would like to schedule an informal conference with either the director or the board per AS 04.11.510(b)(1).

Sincerely,

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

Cynthia Franklin, Director

cc: License file  
Enclosure: Notice of Defense and Request for Hearing

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
550 W. 7<sup>TH</sup> AVENUE SUITE 1600  
ANCHORAGE, ALASKA 99501

In the Matter of )  
 )  
Hyun Ju Song & Kyong Teak Song )  
DBA Spenard Paradise Inn & Lounge )  
3001 Spenard Road )  
Anchorage, AK 99503 )

Case No. 15- \_\_\_\_\_

NOTICE OF DEFENSE AND REQUEST FOR HEARING

TO: ALCOHOLIC BEVERAGE CONTROL BOARD

RESPONDENT \_\_\_\_\_

Hereby files a Notice of Defense and Request for Hearing pursuant to AS 44.62.390.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED at \_\_\_\_\_, Alaska, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Mailing Address)

\_\_\_\_\_

(Telephone Number)

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for Alaska

My commission expires:

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
550 W. 7<sup>TH</sup> AVENUE SUITE 1600  
ANCHORAGE, ALASKA 99501

In the Matter of )  
 )  
Hyun Ju Song & Kyong Teak Song )  
DBA Spenard Paradise Inn & Lounge )  
3001 Spenard Road )  
Anchorage, AK 99503 )

Case No. 15- \_\_\_\_\_

Enclosed is an ABC Board decision concerning the above licensee/s and licensed premises. You are entitled to an informal conference with the director or the board, upon request, pursuant to AS 04.11.510(b).

NOTICE OF RIGHT TO HEARING

If you are not satisfied by the informal conference, you are then entitled to a formal hearing in accordance with AS 44.62.330 – AS 4.62.630. You may request a hearing by filing a notice of defense under AS 44.62.330 within 15 days after service of the statement of reasons for denial of your application. Failure to do so constitutes a waiver of your right to a hearing. Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the board within 15 days after the statement of reasons was personally served on you or received by you, the denial of your application is final. The request for a hearing may be made by delivering or mailing a notice of defense as provided by AS 44.2.390 to the following address:

Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Avenue Suite 1600  
Anchorage, Alaska 99501

DATED at Anchorage, Alaska this 15<sup>th</sup> day of June, 2015.

  
\_\_\_\_\_  
Cynthia A. Franklin, Director  
Alcoholic Beverage Control Board  
(907) 269-0350

## Calder, John P (CED)

---

**From:** Franklin, Cynthia A (CED)  
**Sent:** Tuesday, June 02, 2015 2:32 PM  
**To:** Calder, John P (CED); Oates, Sarah D (CED)  
**Subject:** FW: SpenardParadiseAbeyancedenial letter.BOD.4-29.docx  
**Attachments:** SpenardParadise Non Renewal letter.BOD.4-29.docx; SpenardParadiseAbeyancedenial letter.BOD.4-29.docx

Email to Dennis re: board action letters

Cynthia Franklin  
Director, ABC  
907-269-0351

---

**From:** Franklin, Cynthia A (CED)  
**Sent:** Monday, June 01, 2015 3:26 PM  
**To:** 'elstadd1@gmail.com'  
**Subject:** SpenardParadiseAbeyancedenial letter.BOD.4-29.docx

Letters to Spenard Paradise

Cynthia Franklin  
Director, ABC  
907-269-0351



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

June 4, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501

**Re: Spenard Paradise Inn & Lounge**

Dear Ms. Oates:

On March 24, 2015 the Anchorage Municipal Assembly approved the protest of the Renewal of Beverage Dispensary Tourism Liquor License #1139 for the above listed establishment until payment of delinquent taxes was received.

**The Municipality of Anchorage Clerk's Office LIFTS THE PROTEST on license #1139.**

Conditions placed on any license prior to renewal are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Miranda Honest  
Business License Official

Concur,

Amanda K. Moser  
Deputy Municipal Clerk



THE STATE of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437

Hyun Ju Song & Kyong Teak Song
DBA Spenard Paradise Inn & Lounge
3001 Spenard Road
Anchorage, AK 99503

May 11, 2015

Re: License #1139; Denial of Renewal with Abeyance by Alcoholic Beverage Control Board

Dear Hyun Ju Song & Kyong Teak Song,

During the April 29, 2015 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board upheld the protest of the Municipality of Anchorage to the renewal of License #1139 held by Hyun Ju Song & Kyong Teak Song. The Board evaluated the protest submitted by the Municipality of Anchorage and voted to uphold the protest and deny the application to renew the license in accordance with AS 04.11.480(a).

The Board further voted to hold the denial in abeyance until close of business at 4:30 p.m., May 29, 2015. If the Municipality of Anchorage has not notified us by that time and date that their protest is lifted, your renewal application will be denied, the license will be expired, and you must cease operating your license and selling alcohol at that time.

You will receive a second letter if the protest is not lifted by the deadline. That letter will outline your rights of appeal and order you to cease operations. It is our hope that the abeyance provided by the board will provide you the opportunity to resolve your issues with the local governing body and prevent the expiration of your liquor license.

7013 2250 0000 9196 9629

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
OFFICIAL USE
Postage \$
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$
Sent To: Hyun Ju Song & Kyong Teak Song, DBA Spenard Paradise Inn & Lounge, 3001 Spenard Road, Anchorage, AK 99503
PS Form 3800, August 2006 See Reverse for Instructions

Sincerely,

[Handwritten signature]

Cynthia Franklin, Director

**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:

Hyun Ju Song &  
Kyong Teak Song  
DBA Spenard Paradise Inn  
& Lounge  
3001 Spenard Road  
Anchorage, AK 99503

2. Article Number  
(Transfer from service label)

7013 2250 0000 9616 9629

PS Form 3811, July 2013

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

*Red Hawks*

C. Date of Delivery

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

**MAY 18 '15 PM 1:07**

3. Service Type

Certified Mail®

Priority Mail Express™

Registered

Return Receipt for Merchandise

Insured Mail

Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
550 W. 7<sup>TH</sup> AVENUE SUITE 1600  
ANCHORAGE, ALASKA 99501

In the Matter of )  
 )  
Hyun Ju Song & Kyong Teak Song )  
DBA Spenard Paradise Inn & Lounge )  
3001 Spenard Road )  
Anchorage, AK 99503 )

Case No. 15- \_\_\_\_\_

NOTICE OF DEFENSE AND REQUEST FOR HEARING

TO: ALCOHOLIC BEVERAGE CONTROL BOARD

# 1139

RESPONDENT Kyong SONG

Hereby files a Notice of Defense and Request for Hearing pursuant to AS 44.62.390.

When Tax's pd 5/13/15 Mr Song Asked  
FOR entire need to pay Clerk in a  
Added the Personal Prop/Tax which was pd  
IN Full today 6-2-15 & # 907-538-5777

DATED at 6/2/15 Anchorage, Alaska, this 2 day of June, 20 15

BY: [Signature]  
3001 Spenard Rd  
Anchorage, AK 99503  
(Mailing Address) Dennis  
907-538-5777  
(Telephone Number)

SUBSCRIBED AND SWORN TO before me this 2nd day of June, 20 15



[Signature]  
Notary Public in and for Alaska

My commission expires: w/office

# SPENARD PARADISE INN

3001 SPENARD RD, ANCHORAGE, ALASKA 99503 (907 563-8770)

Dear Director,

FIRST, I WOULD LIKE TO THANK YOU FOR THE TIME YOU GAVE MY MANAGER AND SPENT EXPLAINING WHAT I NEEDED TO DO TO WRITE THIS REQUEST.

MY NAME IS KYONG T. SONG THE OWNER OF THE SPENAND PARADISE INN ( License#1139 ).

I WOULD LIKE AND , ALONG WITH MY MANAGER , DENNIS ELSTAD TO SCHEDULE AN INFORMAL CONFERENCE WITH THE BOARD PER.

AS 04.11.510(b)(1).

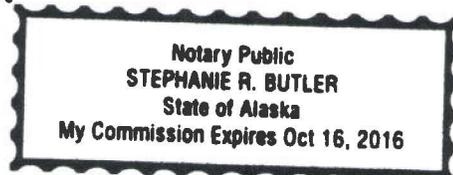
IT WAS EXPLAINED TO ME THAT MANDY HONEST AT THE CLERK OFFICE WAS STILL WAITING TO RECEIVE THE MEMO FROM AMANDA THAT THE PROTEST HAS BEEN LIFTED, AND THEN MANDY WILL FORWARD A LETTER TO SARA IN YOUR OFFICE.

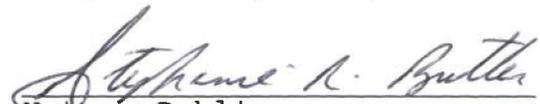
ONCE AGAIN I WOULD LIKE TO APOLOGIZE FOR OUR CONFUSION.

SINCERELY,

  
KYONG TEAK SONG

Signed and Sworn to before me this 3rd day of June, 2015, in Anchorage, Alaska.



  
Notary Public  
My Commission Expires: 10/16/16



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

March 25, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 24, 2015** took the following final action:

### APPROVAL/NON -OBJECTION Transfer of Ownership

- Restaurant/Eating Place  
-Agave LL#5213
  
- Package Store
  - 2 Go Mart #2 LL#2803
  - 2 Go Mart #10 LL#2614
  - 2 Go Mart #54 LL#664
  - 2 Go Mart #15 LL#4054
  - 2 Go Mart #7 LL#2553
  - 2 Go Mart #3 LL#2278
  - 2 Go Mart #71 LL#3732

### PROTEST Renewal

- Restaurant/Eating Place
  - KOGI LL#5107
    - Pending payment of unpaid taxes.
  - Bombay Deluxe Indian Restaurant LL#4158
    - Pending payment of unpaid taxes.
  
- Beverage Dispensary-Tourism
  - Spenard Paradise Inn & Lounge LL#1139
    - Pending payment of unpaid taxes.

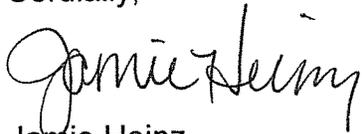
**Transfer of Ownership**

• **Package Store**

- 2 Go Mart #55 LL#1596  
-Pending receipt of fire department approval.
- 2 Go Mart #73 LL#3991  
-Pending receipt of Fire Marshall approval.

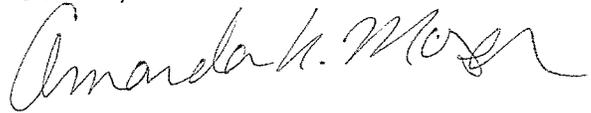
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz  
Business License Official

Concur,



Amanda K. Moser  
Deputy Municipal Clerk

CC: Raul Arriaga  
AK, Inc.  
Hyun Ju Song & Kyong Teak Song  
Sushi Garden, Inc.  
Bombay Deluxe, Inc.

Submitted by: ASSEMBLY CHAIR TRAINI,  
VICE CHAIR GRAY-JACKSON, AND  
ASSEMBLY PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk's Office  
For reading: March 24, 2015

CLERK'S OFFICE  
APPROVED

Date: 3-24-15 — ANCHORAGE, ALASKA  
AR NO. 2015-100

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A BEVERAGE DISPENSARY-TOURISM LIQUOR LICENSE #1139 FOR KYUN JU SONG AND KYONG TEAK SONG DBA SPENARD PARADISE INN AND LOUNGE LOCATED AT 3001 SPENARD ROAD, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Hyun Ju Song and Kyong Teak Song have made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of Beverage Dispensary-Tourism Liquor License #1139 to be used for Spenard Paradise Inn and Lounge, located at 3001 Spenard Road, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 29, 2015 and has determined that the last day for the Assembly to file a protest is March 30, 2015; and

WHEREAS, the Assembly Meeting on March 24, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$17,689.20;**

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

1        Section 1.     The Anchorage Assembly hereby enters its **PROTEST** for renewal of a  
2                           Beverage Dispensary-Tourism Liquor License #1139 until this condition  
3                           is met:

- 4  
5                           • Taxes owing to the Municipality of Anchorage in the amount of  
6                           \$17,689.20 are paid in full.

7  
8        Section 2.     A copy of this Assembly Resolution may be presented to the Alcoholic  
9                           Beverage Control Board as proof that the Anchorage Assembly, as the  
10                           local governing body, has stated its protest in order to allow the Director  
11                           of the Alcoholic Beverage Control Board to hold processing renewal of a  
12                           Beverage Dispensary-Tourism Liquor License #1139 under local protest,  
13                           until receipt by the Director of confirmation from the Municipal Clerk that  
14                           the condition in Section 1 has been met, and this protest is lifted as  
15                           authorized by this Assembly Resolution.

16  
17        Section 3.     The Anchorage Assembly hereby authorizes the Municipal Clerk, upon  
18                           Municipal Clerk confirmation that all conditions in Section 1 have been  
19                           met, to provide written notification to the Alcoholic Beverage Control  
20                           Board that this protest by the Anchorage Assembly is lifted, without  
21                           further action by the Assembly.

22  
23                           PASSED AND APPROVED by the Anchorage Assembly this 24th day of  
24                           March, 2015.

25  
26  
27                           Dickens  
28                           Chair of the Assembly

29  
30     ATTEST:

31                           Barbara A. Jones  
32                           Municipal Clerk  
33  
34



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

March 4, 2015

Hyn Ju song & Kyong Teak Song  
dba Spenard Paradise Inn & Lounge  
3001 Spenard Road  
Anchorage, AK 99503

Subject: DBA Spenard Paradise Inn & Lounge  
**Taxes Owed**

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Beverage Dispensary liquor license #5107 on January 29, 2015. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6<sup>th</sup> Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz  
Business Licensing Official

Enc. Copy of the transmittal from Finance

LL

# Municipality of Anchorage

## Business License Review

## Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

### Liquor License

# 1139

Sent: 2/26/15

Renew

Due: 03-05-2015

#### Previous License

#### Current Application

Owner:

**PAYMENT IN FULL MUST  
BE MADE IN CASH OR  
CERTIFIED FUNDS**

Owner:

Hyun Ju Song & Kyong Teak Sor

Business:

Business:

Spenard Paradise Inn & Lounge

Address:

Address:

3001 Spenard Road

Anchorage, AK

Anchorage, AK 99503

License is not protested

Date: \_\_\_\_\_

License is protested for taxes

Date: 2-27-15

PERSONAL Property Taxes \_\_\_\_\_ \$ \_\_\_\_\_

PERSONAL Property Taxes \_\_\_\_\_ \$ \_\_\_\_\_

PERSONAL Property Taxes \_\_\_\_\_ \$ \_\_\_\_\_

REAL Property Taxes: 010 016 01 00010 \_\_\_\_\_ \$ 17,689.20

Hotel/Motel: AK PIF \_\_\_\_\_ \$ 0

Reviewed By: [Signature] \_\_\_\_\_ Date: 2-27-15

Collections: [Signature] \_\_\_\_\_ Date: 2-27-15

Comments: Property taxes must be paid prior to approval

Protest Released - TAXES PAID IN FULL

Date: \_\_\_\_\_ Signed/Title: \_\_\_\_\_

Tab

**12**

## HISTORY

Lice	Name	Off Date	Case	Numb	Offense
743	Moose Lodge #224	3/13/2015	AB15-0303	1	Club license (soliciting of patronage)
743	Moose Lodge #224	12/10/2014	AB14-1320	1	Club license (soliciting of patronage)
743	Moose Lodge #224	10/10/2008	08-1355	1	Furnishing alcohol to a person under 21
743	Moose Lodge #224	10/10/2008	08-1355	1	Allowing under 21 person on licensed premises
743	Moose Lodge #224	10/10/2008	08-1355	1	No server education
743	Moose Lodge #224	10/10/2008	08-1355	1	Failure to show proof of server education
743	Moose Lodge #224	5/24/2006	06-0964	1	Furnishing alcohol to a person under 21
743	Moose Lodge #224	5/24/2006	06-0964	1	Allowing under 21 person on licensed premises
743	Moose Lodge #224	5/24/2006	06-0964	1	Club license
874	Pipeline Club	Early 2014	AB15-0440	1	Board approval of transfers
874	Pipeline Club	Early 2014	AB15-0440	1	Suspensions and revocation of licenses and permits
874	Pipeline Club	Early 2014	AB15-0440	1	Transfers
3304	Red Robin	4/16/2015	AB15-0399	1	Furnishing alcohol to a person under 21
3304	Red Robin	4/16/2015	AB15-0399	1	Allowing under 21 person on licensed premises
3304	Red Robin	7/13/1993	93-0025	1	Licensed premises
3807	La Mex - Dimond	3/12/2015	AB15-0287	1	Furnishing alcohol to a person under 21
3807	La Mex - Dimond	12/30/2006	06-2672	1	Furnishing alcohol to a person under 21
4006	McKinley Creekside Cabins	5/20/2015	AB15-0442	1	Accessibility of license and licensed premises to inspection
4006	McKinley Creekside Cabins	5/20/2015	AB15-0442	1	Inpsection
4062	Tito's Gyros	5/15/2015	AB15-0434	1	Furnishing alcohol to a person under 21
4062	Tito's Gyros	5/15/2015	AB15-0434	1	Access of persons under the age of 21 to licensed premises
4062	Tito's Gyros	5/26/2015	AB15-0436	1	Surrender or destruction of license
4062	Tito's Gyros	5/15/2015	AB15-0436	1	Surrender of license
4062	Tito's Gyros	5/26/2015	AB15-0436	1	Application generally
4062	Tito's Gyros	5/15/2015	AB15-0436	1	Licensed premises
4062	Tito's Gyros	1/26/2010	10-0129	1	Furnishing alcohol to a person under 21
4062	Tito's Gyros	9/30/2009	09-1715	1	Furnishing alcohol to a person under 21
4062	Tito's Gyros	1/12/2006	06-0064	1	Furnishing alcohol to a person under 21
4444	Landsharks	Early 2015	AB15-0439	1	Board approval of transfers
4444	Landsharks	Early 2015	AB15-0439	1	Suspensions and revocation of licenses and permits
4444	Landsharks	Early 2015	AB15-0439	1	Transfers
4444	Landsharks	6/12/2012	12-0680	1	Responsibility if licensees, agents and employees
4444	Landsharks	6/12/2012	12-0680	1	Communications with licensees
5247	Tequila Kitchen Express	4/16/2015	AB15-0397	1	Furnishing alcohol to a person under 21

## HISTORY

5247	Tequila Kitchen Express	4/16/2015	AB15-0397	1	No server education	
5247	Tequila Kitchen Express	4/16/2015	AB15-0397	1	Licensee responsible for violations	
5247	Tequila Kitchen Express	4/24/2014	AB 14-0539	1	Communications	
5247	Tequila Kitchen Express	4/24/2014	AB 14-0539	1	No server education	
5247	Tequila Kitchen Express	4/24/2014	AB 14-0539	1	Posting of warning signs	



Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

Date: 03-19-2015  
 Number AB1500303  
 Page 1 of 1

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> <b>Ketchikan Loyal Order of the Moose Lodge #224</b>	<b>License Number</b> <b>743</b>	<b>Type of License</b> <b>Club</b>
<b>D.B.A.</b> <b>Moose Lodge #224</b>	<b>How Delivered</b> <input checked="" type="checkbox"/> <b>Certified Mail # On-File</b> <input type="checkbox"/> <b>In Person</b>	<b>Law Enforcement Agency</b> <b>Ketchikan Police Department</b>
<b>Street or P.O. Box</b> <b>P.O. Box 5224</b>	<b>City, State</b> <b>Ketchikan, AK</b>	<b>Zip</b> <b>99901</b>

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

**VIOLATION:** Sold alcoholic beverages to non-member on 03-13-2015 at a pool tournament held on premises.

Notice of your right to an Administrative Hearing.

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

Your attention is directed to **Sec. 04.11.110(d) Club License:** [...]Alcoholic beverages sold under a club license may be purchased only by (1)members of the club and their families  
**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> anonymous complainant
<b>Filed By:</b> 	<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:



Moose Lodge #224  
744 Water Street  
Ketchikan, AK 99901

2. Article Number

(Transfer from service label)

7003 2260 0007 2204 3675

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

MAR 27 '15 PM 1:14

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

3-25-15

3. Service Type

 Certified Mail®  Priority Mail Express™ Registered  Return Receipt for Merchandise Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 6-1-15  
 Number AB15-0440  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Valdez Motel Corporation	<b>License Number</b> 874	<b>Type of License</b> Beverage Dispensary - Tourism
<b>D.B.A.</b> Pipeline Club 112 Egan Drive	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b> Valdez Police Department
<b>Street or P.O. Box</b> PO Box 472	<b>City, State</b> Valdez, AK	<b>Zip</b> 99686

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:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Licensing staff notes indicate they have contacted you multiple times since early 2014 to correct this issue. This is a violation of Title 04.

Your attention is directed to **AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304.AAC175(b): Transfers**

**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**  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

A Response is Required

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

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

Hand delivered by VPD 06/01/15  
 Certified mail #7013 1090 0001 2774 4378



Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

Date: 6-1-15  
Number AB15-0438  
Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

Licensee <b>Riverview Retail, LLC</b>	License Number <b>968</b>	Type of License <b>Package Store</b>
D.B.A. <b>Riverview Quick Stop</b>	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency <b>Alaska State Troopers</b>
Street or P.O. Box <b>1316 Badger Road</b>	City, State <b>Fairbanks, AK</b>	Zip <b>99705</b>

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:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Business registration examiners notes indicate they have contacted you multiple times since the end of 2014 to correct this issue. This is a violation of Title IV.

**Your attention is directed to AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304AAC175(b): Transfers**

**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 recurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

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

Cynthia Franklin, Director  
Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501

### A Response is Required

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

Receipt: <i>Sue Poulson 6/18/15</i>	Violation Observed By: <b>F.R. Hamilton</b>
Filed By: <i>F.R. Hamilton</i>	Title: <b>Investigator III</b>



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 4-17-15  
 Number AB15-0399  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

Licensee <b>Gourmet Ventures Inc.</b>	License Number <b>3304</b>	Type of License <b>Beverage Dispensary</b>
D.B.A. <b>Red Robin</b> 1190 N. Muldoon Road	How Delivered [ X ] Mail Receipt on file. [ ] In Person	Law Enforcement Agency <b>Anchorage Police Department</b>
Street or P.O. Box <b>4450 Cordova St., Ste 100</b>	City, State <b>Anchorage, AK</b>	Zip <b>99503</b>

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 4-16-15, at about 1514 hours, Red Robin bartender Mirela Eryka Zakrzewska furnished an alcoholic beverage to a person under 21 and then allowed the under 21 person to remain on the licensed premises. These are violations 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  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

7013 2250 0000 9617 5323

**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 13-011
Filed By: <i>JR Hamilton</i>	Title: 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:

Gourmet Ventures, Inc  
 4450 Cordova St Ste 100  
 Anchorage, AK 99503


 2. Article Number  
 (Transfer from service label)

7013 2250 0000 9617 5323

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

JILL S SMITH

C. Date of Delivery

4.22.15

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

APR 24 '15 AM 11:35

3. Service Type

 Certified Mail® Priority Mail Express™ Registered Return Receipt for Merchandise Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes



**Alcoholic Beverage Control Board**  
 2400 Viking Drive  
 Anchorage, AK 99501

**Date: 3-18-15**  
**Number AB15-0287**  
**Page 1 of 1 Page**

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b>  King Dimond Inc.	<b>License Number</b>  3807	<b>Type of License</b>  Beverage Dispensary
<b>D.B.A.</b> La Mex – Dimond 8330 Kings Street	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b>  Anchorage Police Department
<b>Street or P.O. Box</b> PO Box 92480	<b>City, State</b> Anchorage, AK	<b>Zip</b> 99509

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 received an Accusation and Notice of your right to an Administrative Hearing.

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

**VIOLATION:** On 3-12-15, at about 1354 hours, La Mex - Dimond server Nadia Lisset Lerma Ayala 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 APPREARANCE, 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

7013 2250 0000 9617 5286

### 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

**Oates, Sarah D (CED)**

---

**From:** Trina Johnson <trinaj@mac.com>  
**Sent:** Wednesday, June 17, 2015 5:14 PM  
**To:** Oates, Sarah D (CED)  
**Subject:** Fwd: Please see attached NOV response  
**Attachments:** NOV Letter to ABC Board.docx

Begin forwarded message:

**From:** Trina Johnson <[trinaj@mac.com](mailto:trinaj@mac.com)>  
**Subject:** Please see attached NOV response  
**Date:** March 24, 2015 at 10:15:46 AM AKDT  
**To:** [cynthia.franklin@alaska.gov](mailto:cynthia.franklin@alaska.gov)

Please feel free to call me with any questions you may have

thank you

trina Johnson  
907-952-3406

8330 King Street  
P.O. Box 92480  
Anchorage, Alaska 99509

# King Dimond Inc.

DBA La Mex- Dimond

March 24, 2015

Director Franklin  
2400 Viking Drive  
Anchorage, Alaska 99501

Re: Notice of Violation dated 3-18-2015  
La Mex-Dimond – License Number 3807

Dear Director Franklin:

This letter shall serve as a response to the Notice of Violation referenced above. The above notice references an incident that occurred on March 12, 2015 where a La Mex – Dimond server, Nadia Lisset Lerma Ayala (“Nada Ayala”) is alleged to have furnished an alcoholic beverage to a person under 21 in violation of AS 04.16.052.

I have reviewed the circumstances with Nadia Ayala and although she checks the identification as per the company policy and local law, she miscalculated the age. The identification presented, as I understand it, demonstrated that the individual was born in the year that would have otherwise make him of legal age, but he was shy of turning 21 by eight months. Nadia Ayala has been consulted the need to check both the year and the month and the day to determine if the identification presented demonstrates that the individual is of legal age to obtain an alcohol beverage under the law. Our

employee, Nadia Ayala has been employed with La Mex over the course of almost 20 years. She is and has always been a conscientious and diligent server when it comes checking identifications and not serving minors. In the past few years, she has passed at least three “stings” by refusing to serve alcohol to minors. I have spoken to Nadia along with other members of the staff to reemphasize our policy that they are required to ID each customer, to make sure the ID is not expired, to look for the alcohol restriction and to individually calculate the age of the customer prior to serving them any alcohol. We have also reviewed the CHARR poster that should prove to assist with the age calculation and I have advised them that if they have any reason to question the customer’s age or condition, the service should be refused.

In addition, I have instructed Nadia to take another TAM course as a meaningful opportunity to refresh her on the current skills available to assist her in seeing to it the this does not happen again.

La Mex takes its commitment to community very seriously and we will continue to enforce that commitment with our employees.

Sincerely,

Trina Johnson  
President  
King Dimond Inc.

**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:



King Dimond Inc.  
 La Mex - Dimond  
 PO Box 92480  
 Anchorage, AK 99509

2. Article Number

(Transfer from service label)

7013 2250 0000 9617 5286

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

 *T. Johnson*
 Agent Addressee

B. Received by (Printed Name)

*T. Johnson*

C. Date of Delivery

*3-19-15*D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No**MAR 20 '15 PM 12:14**

3. Service Type

 Certified Mail® Priority Mail Express™ Registered Return Receipt for Addressee Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

Date: 05/26/2015  
Number AB 15-0442  
Page 1 of 1

## Notice of Violation

(3AAC 304.525)

Licensee <b>Holly Slinkard</b>	License Number <b>4006</b>	Type of License <b>Restaurant/Eating Place</b>
D.B.A. <b>McKinley Creekside Cabins</b>	How Delivered <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Law Enforcement Agency <b>Alaska State Troopers</b>
Street or P.O. Box Mile 224 Parks Highway	City, State <b>Denali National Park,AK</b>	Zip <b>99755</b>

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.**

Your attention is directed to

**VIOLATION: On May 20<sup>th</sup> 2015 at approximately 1:45pm Holly Slinkard, Licensee, stopped an inspection in progress because she said she was too busy and was not open, the Investigator could do the inspection the next day. This is a violation of 04.11.630: Accessibility of license and licensed premises to inspection and 3AAC 304.515 Inspection**

**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.

Receipt:	Violation Observed By: <b>Inv.Richard Finney</b>
----------	--

.....

McKinley Creekside Cabins & Café  
The Great Alaska Fish & Chip Co  
PO Box 89 / Mile 224 Parks hwy  
Denali National Park, Alaska 99755  
1-888-5DENALI (533-6254)  
[www.mckinleycabins.com](http://www.mckinleycabins.com)

# Slinkard and Smith Co. LLC

June 8, 2015

To: ABC  
From: Holly Slinkard  
RE: Violation / License # 4006

Dear Whom it may concern,

This is in response to the violation issued by Richard Finney on May 20, 2015. Mr. Finney came by and spoke to my front desk about my liquor licenses. He then came to me asking for my restaurant designation permit, as it wasn't on the copy that front desk had of my license. I explained that I wasn't yet open to the public, but frantically trying to get my restaurant trained and up and running in the next few days. As is common with any seasonal business owner on May 20<sup>th</sup>. When I spoke to Mr. Finney, I was literally in the kitchen trying to train my chefs, and do a trail run of the dinner items (Mr. Finney came in at about 4pm ish). That all my paperwork was in order and although I didn't know where my copy of the resignation permit, I would get one immediately and he could come back tomorrow. He didn't like that idea, and threatened taking away my license. I of course did not like that answer, and we parted ways. I immediately called the ABC board, spoke to Jane Sawyer and had her fax me copies of my license/permit. About an hour later or so, Mr. Finney came back and said he was issuing me a violation for failure to inspect. I disagreed and said I wasn't not allowing an inspection, just that I had to get my copy (which by then I already had it in the office), and to come back. He was emphatic about issuing me the violation and left. I feel this is an unnecessary violation and should be removed. If you have any questions please feel free to give me a call at 907-683-2270

Kind Regards,



Holly Slinkard  
[hollyslinkard@yahoo.com](mailto:hollyslinkard@yahoo.com)

.....



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 5-20-15  
 Number AB15-0434  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

Licensee <b>Hector Romo</b>	License Number <b>4062</b>	Type of License <b>Restaurant / Eating Place</b>
D.B.A. <b>Tito's Gyros</b>	How Delivered <input type="checkbox"/> Mail Receipt on file. <i>HARD</i> <input checked="" type="checkbox"/> In Person <i>Delivered</i>	Law Enforcement Agency <b>Anchorage Police Department</b>
Street or P.O. Box <b>120 E. 6<sup>th</sup> Avenue</b>	City, State <b>Anchorage, AK</b>	Zip <b>99501</b>

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 5-15-15, DOL Investigator Joy Hartlieb reported she had completed an investigation regarding Tito's Gyros employing a 15 year on the licensed premises. As a result of the employment the 15 year was injured and had to receive medical attention. 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 and AS 04.16.049: Access of persons under the age of 21 to licensed premises**

**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**  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

**A Response is Required**

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

Receipt: <i>[Signature]</i>	Violation Observed By: Reported by DOL Inv. J. Hartlieb
Filed By: <i>JR Hamilton</i>	Title: Investigator III



Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

Date: 6-1-15  
Number AB15-0436  
Page 1 of 2 Page

## Notice of Violation

(3AAC 304.525)

Licensee	License Number	Type of License
Hector Romo	4062	Restaurant/Eating Place
D.B.A. Tito's Gyros	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency Anchorage Police Department
Street or P.O. Box 120 E. 6 <sup>th</sup> Avenue	City, State Anchorage, AK	Zip 99501

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 5-26-15, it was discovered that you have leased your licensed premises to Roscoe Wyche and no longer have right, title or interest in the property. It was also discovered that Roscoe Wyche is operating your license under a verbal manager's agreement. The name of the establishment is now being called Tito's Gyros featuring Roscoe's Catfish and Barbeque. These are violations of Title 04.

Your attention is directed to **AS04.11.580(b): Surrender or destruction of license.**

The licensee shall surrender a current license to the board within 10 days after the loss or vacation of the licensed premises.

Your attention is directed to **3AAC304.195: Surrender of license.**

Within 10 days after the loss or surrender of the licensed premises, or if a licensee ceases to conduct business upon the licensed premises for a period expected to continue for one month or more, the licensee shall inform the director and surrender the license to the director. The license will be reissued upon request when the conduct of business is resumed or upon transfer of the license.

Your attention is directed to **3AAC304.105(b)(6): Application generally.**

An application for a new license or for renewal, relocation, or transfer of an existing license, must contain the information required by AS04.11.260-04-11.290. In addition as appropriate, the application must contain the following: (6) copies of deeds, lease agreements, or other documents that show right or title to, or interest in, land and buildings at the location of the business to be licensed;

Your attention is directed to **3AAC304.185(c).**

A licensee may not alter the functional floor plan, reduce or expand the area, or change the business name of the licensed premises without the prior written approval of the director.

**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  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501**

**A Response is Required**

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

Receipt: <i>Hand Delivered TO Hector</i>	Violation Observed By: F.R. Hamilton
Filed By: <i>FR Hamilton</i> <i>LOW</i> <i>6-1-15</i> <i>1230 LRS</i> <i>FR</i>	Title: Investigator III

June 17, 2015

To whom it may concern,

My name is Hector Romo and I regret that I did not know I was out of compliance with the ABC Board Regulations. Whatever it takes for me to get things in compliance is what we will do. Moving forward I will apply for a transfer of the license to Mr. Roscoe Wyche. Sorry for any inconvenience I have caused.

Thank you,

Hector Romo

A handwritten signature in blue ink that reads "Hector Romo." The signature is written in a cursive style with a large initial 'H'.



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 6-1-15  
 Number AB15-0439  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Anderson Bay Inc.	<b>License Number</b> 4444	<b>Type of License</b> Beverage Dispensary
<b>D.B.A.</b> Landsharks 121 Egan Drive	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b> Valdez Police Department
<b>Street or P.O. Box</b> PO Box 472	<b>City, State</b> Valdez, AK	<b>Zip</b> 99686

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:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Licensing staff notes indicate they have contacted you multiple times since early 2015 to correct this issue. This is a violation of Title 04.

Your attention is directed to **AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304.AAC175(b): Transfers**

**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**  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

**A Response is Required**

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

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

Hand delivered by VPD 06/01/15.  
 Sent certified mail #7013 1090 0001 2774 4378

**From:** [Hamilton, Joe \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** Anderson Bay  
**Date:** Wednesday, June 10, 2015 9:40:03 AM

---

Anderson Bay positively received their NOV's on 6-5-15, Jamie Mayer signed for the letters. Police Delivered before that but failed to get a name as I requested of them.



*Joe Hamilton*  
*Investigator*  
*Alcoholic Beverage Control Board*  
*550 W. 7<sup>th</sup> Ave, Ste 1600, Anchorage, AK 99501*  
*Office (907) 269-0063 Fax (907) 334-2285*  
*Joe.Hamilton@alaska.gov*



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 4-17-15  
 Number AB15-0397  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

Licensee <b>Tequila Kitchen Express, LLC</b>	License Number <b>5247</b>	Type of License <b>Restaurant / Eating Place</b>
D.B.A. <b>Tequila Kitchen Express 2514 E. Tudor Road</b>	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency <b>Anchorage Police Department</b>
Street or P.O. Box <b>2525 Blueberry Road, Ste 206</b>	City, State <b>Anchorage, AK</b>	Zip <b>99503</b>

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 4-16-15, at about 1305 hours, Tequila Kitchen Express cashier Julissa U. Martin sold an alcoholic beverage to a person under 21. Martin has been a cashier for about a month and when asked to provide proof of server education, she could not, which is required when serving/selling in Anchorage prior to being employed. Manager Alberto Perez arrived and stated Martin does not sell alcoholic beverages, she is only a cashier. She was observed assisting the cook after leaving the cashier area. It was also learned that Martin and the cook, Diego Rivera, a three month employee, did not have food handler's certification, another municipal/state requirement. These are violations of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensee and 04.21.025: Alcohol Server Education; AS04.16.150: License responsible for violations, AS04.16.030: Responsibility of 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  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501**

7013 2250 0000 9617 5347

**A Response is Required**

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

Tequila Kitchen Express, LLC  
 2514 E Tudor Rd  
 Anchorage, AK 99507



2. Article Number

(Transfer from service label)

7013 2250 0000 9617 5347

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Dorecia Jimenez*  Agent  
 Addressee

B. Received by (Printed Name)

*Dorecia Jimenez*

C. Date of Delivery

*4/21/15*D. Is delivery address different from item 1?  Yes

*APR 22 15 PM 12:55*  No  
 If YES, enter delivery address below:

3. Service Type

- Certified Mail     Express Mail  
 Registered         Return Receipt for Merchandise  
 Insured Mail         C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

Tab

**13**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: NOV: Stock Transfer Landsharks  
License #4444

This is a Notice of Violation per AS 04.11.040(c) and 3 AAC 304.175(b) for failing to complete a stock transfer upon change in controlling interest. The licensee has not been responsive to agency efforts to assist in the completion of the transfer. The licensee has not responded to a Notice of Violation, resulting in a further violation of 3 AAC 304.525(a)(1)(B).

Date of event requiring stock transfer: December 18, 2011- Death of 50% shareholder

Date event first reported to board: February 28, 2013 (renewal paperwork)

Date letter from Licensing sent: June 10, 2014 for action by July 10, 2014

Date of additional contacts from licensing: Phone call between 01/01/15 and 2/24/15; email 2/24/15; phone call 3/2/15, letter 3/3/15, phone call 4/2/15, emails 4/2/15 and 4/21/15, certified letter 05/15/15

Notice of Violation sent: June 1, 2015

Date of responses by licensee: Email received 2/24/15 (attached); email 4/4/15 (attached); certified letter signed for 5/21/15

Inquiry for the Board: How can the board get the licensee to complete the stock transfer?

Recommendation: Suspend operation of license until complete transfer application is received by licensing section.

Other Consideration: AS 04.11.030 Death of a Licensee



Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

Date: 6-1-15  
Number AB15-0439  
Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Anderson Bay Inc.	<b>License Number</b> 4444	<b>Type of License</b> Beverage Dispensary
<b>D.B.A.</b> Landsharks 121 Egan Drive	<b>How Delivered</b> <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	<b>Law Enforcement Agency</b> Valdez Police Department
<b>Street or P.O. Box</b> PO Box 472	<b>City, State</b> Valdez, AK	<b>Zip</b> 99686

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 received an Accusation and Notice of your right to an Administrative Hearing.

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

**VIOLATION:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Licensing staff notes indicate they have contacted you multiple times since early 2015 to correct this issue. This is a violation of Title 04.

Your attention is directed to **AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304.AAC175(b): Transfers**

**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 APPREARANCE, 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  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501

### A Response is Required

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

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

Hand delivered by VPD 06/01/15.  
Sent certified mail #7013 1090 0001 2774 4378

**From:** [Hamilton, Joe \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** Anderson Bay  
**Date:** Wednesday, June 10, 2015 9:40:03 AM

---

Anderson Bay positively received their NOV's on 6-5-15, Jamie Mayer signed for the letters. Police Delivered before that but failed to get a name as I requested of them.



*Joe Hamilton*  
*Investigator*  
*Alcoholic Beverage Control Board*  
*550 W. 7<sup>th</sup> Ave, Ste 1600, Anchorage, AK 99501*  
*Office (907) 269-0063 Fax (907) 334-2285*  
*Joe.Hamilton@alaska.gov*



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7<sup>th</sup> Avenue Ste. 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

May 15, 2015

Anderson Bay Inc.  
Attn: Mark Lee  
PO Box 472  
Valdez, AK 99686

Certified: 7011 2970 0003 3312 5806

Re: Liquor license #4444 DBA Landsharks

Dear Mark,

This certified letter is my last notice to you about the need to do a stock transfer. You were originally notified of the required stock transfer in June 2014, I sent you another letter in March 2015, I have also sent emails to you to no avail.

Alaska Statute 04.11.040 (c) states: *A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board.* The written consent of the board is approving the stock transfer that you must submit to be in compliance with Title 4.

Additionally, Division of Corporations, the agency where you file the biennial report, states your entity is "Involuntarily Dissolved" this must also be addressed.

If a transfer of stock has not been received by our July 1 board meeting, your license will be presented to the board for action.

Please call our office if you have additional questions

Sincerely,

Jane Sawyer  
Business Registration Examiner  
907-269-0359  
Jane.sawyer@alaska.gov

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> <i>S. Lee</i> <span style="float: right;"><input type="checkbox"/> Agent</span> <span style="float: right;"><input type="checkbox"/> Address</span>	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>Anderson Bay, Inc.              Attn: Mark Lee              PO Box 472              Valdez, AK 99686</p> </div>	B. Received by (Printed Name) <i>S. LEE</i>	C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div style="text-align: center; color: blue;">             MAY 26 15 AM 9:33              5121           </div>	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	<div style="border: 1px solid black; padding: 2px;">             7011 2970 0003 3312 5806           </div>	
PS Form 3811, July 2013 <span style="float: right;">Domestic Return Receipt</span>		

**From:** [Sawyer, Jane Preston \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** FW: Liquor license #4444 Anderson Bay Inc.  
**Date:** Friday, May 29, 2015 10:36:30 AM

---

*Jane*

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**From:** Sawyer, Jane Preston (CED)  
**Sent:** Tuesday, April 21, 2015 9:04 AM  
**To:** 'Mark Lee'  
**Subject:** RE: Liquor license #4444 Anderson Bay Inc.

Good morning Mark,

I hope you are feeling better. We do need to speak about the controlling interest transfer (stock transfer) that needs to happen.

Per Alaska Statute 04.11.040 ( c ) “ ***A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board.***”

This being said, it is imperative that the representative of Dennis Maloney’s estate (who is assigned by the superior court) submits the transfer paperwork as soon as possible.

Mark, if you have not started with the transfer process because the estate of Dennis has not been assigned a personal representative you may need to write to the ABC Board asking for more time to sort out his estate, and submit the transfer.

Please let me know what is going on as soon as possible.

Thank you

*Jane*

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**From:** Mark Lee [<mailto:pipeinn@gci.net>]  
**Sent:** Saturday, April 04, 2015 3:12 PM  
**To:** Sawyer, Jane Preston (CED)  
**Subject:** Re: Liquor license #444 Anderson Bay Inc.

Jane,

Sorry I did not get back to you yet. I have some bug and my voice is gone. I will get back to you next week (if I can talk).

Thanks,  
Mark

**From:** [Sawyer, Jane Preston \(CED\)](#)  
**Sent:** Thursday, April 02, 2015 11:19 AM

**To:** [pipeinn@gci.net](mailto:pipeinn@gci.net)

**Subject:** Liquor license #444 Anderson Bay Inc.

Mark, I just called you and left a message with the person answering the phone. This is regarding the need of a stock transfer because Dennis Maloney's passing in 2011.

I sent you a letter back in March along with a transfer packet. Please contact me as soon as possible, I need prove that you are working on the transfer or your license may go in front of the board for not complying with ABC Board laws and/or regulations.

Thank you

**Jane Sawyer**

Business Registration Examiner

Alcoholic Beverage Control Board

2400 Viking Drive

Anchorage, AK 99501

Tel: 907-269-0359 Fax: 907-334-2285



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

March 3, 2015

Anderson Bay Inc.  
Attn: Mark Lee  
PO Box 472  
Valdez, AK 99686

Re: Liquor license #444 DBA Landsharks

Dear Mark,

I wanted to recap our conversation on 2/27/15 about the need to do a Controlling Interest transfer due to the passing of Dennis Maloney in 2011.

Per Alaska Statute 04.11.040 ( c ) "*A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board*". The written consent of the board is by approving your stock transfer application that must be submitted as soon as possible.

You stated that you would be looking into the status of the estate of Dennis Maloney the following Monday (we spoke on a Friday).

There was a letter sent to you back in June 10, 2014 where states that you need a stock transfer, but a transfer was never submitted

Please note that it is imperative that you or whoever is the Personal Representative or Executor/Executrix of Dennis Maloney's estate gets this transfer completed. If there is no Personal Representative or Executor/Executrix that has been assigned by the court then I highly recommend you contact an attorney.

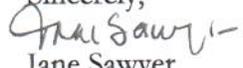
Additionally, the Division of Corporations which is a different state agency needs to be in "Good Standing", their telephone number is 907-269-8156.

Please also note that failure to comply with ABC Board regulations could result, but is not limited, to the suspension of your liquor license.

I am sending you a transfer packet along with this letter. The renewed liquor license will be held in our office until I receive acceptable proof that you are working on this matter.

Please give me a call or email me with questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Jane Sawyer".

Jane Sawyer

Business Registration Examiner

907-269-0359

[Jane.sawyer@alaska.gov](mailto:Jane.sawyer@alaska.gov)

**From:** [Sawyer, Jane Preston \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** FW: Lic. #4444  
**Date:** Friday, May 29, 2015 10:36:53 AM

---

*Jane*

---

**From:** Mark Lee [mailto:pipeinn@gci.net]  
**Sent:** Tuesday, February 24, 2015 2:39 PM  
**To:** Sawyer, Jane Preston (CED)  
**Subject:** Lic. #4444

Jane,

Thank you for your help. Like everyone else, we have had a lot of problems.

Thanks again,

Mark Lee



THE STATE  
of **ALASKA**

GOVERNOR SEAN PARNELL

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

June 10, 2014

Re: Transfer of Stock required for Liquor License #4444 Landsharks

Dear Mark Lee:

It came to my attention that a transfer of stock was required following the death of P D Maloney in 2011. The ABC Board records show the stock distribution at the time of his death was P D Malone 50% and Mark Lee 50%. Neither of you had controlling interest. Please complete the enclosed transfer application for Beverage Dispensary #4444. Include any documents that show you have authority to complete this transfer. The requirement for transfer should have been noticed in February 2013 when your license was renewed. I am sorry I overlooked this requirement.

Another problem which I have discovered is that the renewal document was not notarized. Please provide a notary for the attached page 2 of the form.

Anderson Bay Inc. has been involuntary dissolved by the State of Alaska Division of Corporations. Please bring your entity #85630D into "Good Standing". Your biennial report was due 1/2/2012.

Please submit the completed transfer forms by July 10th or contact our office with an explanation for the delay.

If you have any questions, please do not hesitate to contact me.

A handwritten signature in cursive script that reads "Maxine Andrews".

Maxine Andrews  
Business Registration Examiner  
Direct line: 907-269-0358  
Email: [maxine.andrews@alaska.gov](mailto:maxine.andrews@alaska.gov)

Enclosures: Transfer application; Div. of Corporation Contact Sheet; Entity 85630D data sheet;  
page 2 2013-2014 renewal application

**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:

Anderson Bay Inc.  
 Attn: Mark Lee  
 PO Box 472  
 Valdez, AK 99686

2. Article Number

(Transfer from service label)

/// 7006 3450 // 0003 7321 3460

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

S. Lee

 Agent Addressee

B. Received by (Printed Name)

S. LEE

C. Date of Delivery

6-18-74

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

JUN 20 1974

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
TOTAL	\$
Late Fee – If Received or Postmarked after 12/31/12	\$ 500 <sup>00</sup>
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 3,200 <sup>00</sup>

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a licensee (a sole proprietor or partner), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License  
Notar  
Notar  
My co

Please  
Sign &  
notarize  
this form



MARK ALLEN LEE  
Printed Name & Title

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_

## ABC LICENSE MANAGEMENT

**Add/Update Owner or Enterprise**

**Licenses**

ID: 170

Name: Anderson Bay Inc

Address: PO Box 472

City: Valdez State: AK ZIP: 99686

Email: jambo@gci.net

4444 | Landsharks | 121 Egan Drive

**Interested Parties**

ID	Name	%	Aff	Pres	VP	Sec	Treas	Off	Mbr	Mgr		
<a href="#">3004</a>	P Dennis Maloney (deceased 12/18/2011)	50.00		✓							<a href="#">Edit</a>	<a href="#">Delete</a>
<a href="#">3005</a>	Mark Lee	50.00			✓						<a href="#">Edit</a>	<a href="#">Delete</a>
<a href="#">3006</a>	Susan Lee	0.00				✓	✓				<a href="#">Edit</a>	<a href="#">Delete</a>
Total Percentage		100.00										

ABC Board file shows the owner of record for #4444 Landsharks as 50% P Dennis Maloney and 50% Mark Lee Stock transfer required.

# State of Alaska Division of Corporations



Contact  
SOA  
Div of Corp.  
and bring entity  
into compliance

## Headquarters

Box 110806

AK 99811-0806

Mon-Fri - 8am to 5pm

Physical Address:

375 North 4th Avenue, 9th Floor  
Anchorage, AK 99801

Main Phone Receptionist: (907) 465-2550

Fax: (907) 465-2974

E-mail: [corporations@alaska.gov](mailto:corporations@alaska.gov)

If the entity name of your inquiry begins with A-E,

Contact: Danielle Ames

Email: [jon.zeman@alaska.gov](mailto:jon.zeman@alaska.gov)

Main Phone: Receptionist (907) 465-2426

If the entity name of your inquiry begins with F-N, Contact: Alicia Kelly

Email: [alicia.kelly@alaska.gov](mailto:alicia.kelly@alaska.gov)

Phone: (907) 465-5454

If the entity name of your inquiry begins with O-Z,

Contact: Kelli Bergthold

Email: [kelli.bergthold@alaska.gov](mailto:kelli.bergthold@alaska.gov)

Phone: (907) 465-6346

Anchorage Field Office

550 West 7th Avenue, Suite 1500

Anchorage, AK 99501-3567

Main Phone Receptionist: (907) 269-8160

Fax: (907) 269-8156

# Division of Corporations, Business and Professional Licensing

## Name(s)

Type	Name
Legal Name	ANDERSON BAY, INC.

## Entity Details

**Entity Type:** Business Corporation

**Entity #:** 85630D

**Status:** Involuntarily Dissolved

**AK Formed Date:** 3/15/2004

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2012

**Entity Mailing Address:**

**Entity Physical Address:**

## Registered Agent

**Agent Name:** P DENNIS MALONEY

**Registered Mailing Address:**

**Registered Physical  
Address:**

## Officials

AK Entity#	Name	Titles	Percent Owned
	Mark Lee	Director, Secretary, Treasurer, Vice President	50
	P D Maloney	Director, President	50

## Filed Documents

Date Filed	Type	Filing	Certificate
3/15/2004	Creation Filing		
4/7/2004	Biennial Report		
3/14/2007	Biennial Report		

Tab

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board  
FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015  
RE: NOV: McKinley Creekside Cabins  
License #4006

This is a Notice of Violation per AS 04.11.630 and 3 AAC 304.515 for violating the requirement that the licensed premises be available for inspection.

Date of attempted inspection: May 20, 2015

Date NOV issued: May 26, 2015

Date of response to NOV: June 8, 2015

Inquiry for the Board: Did licensee make licensed premises available for inspection per statute and regulation?

Recommendation: Suspension of license as sanction for ejecting investigator performing inspection.



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

Date: 05/26/2015  
Number AB 15-0442  
Page 1 of 1

## Notice of Violation

(3AAC 304.525)

Licensee <b>Holly Slinkard</b>	License Number <b>4006</b>	Type of License <b>Restaurant/Eating Place</b>
D.B.A. <b>McKinley Creekside Cabins</b>	How Delivered <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Law Enforcement Agency <b>Alaska State Troopers</b>
Street or P.O. Box Mile 224 Parks Highway	City, State <b>Denali National Park,AK</b>	Zip <b>99755</b>

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.**

Your attention is directed to

**VIOLATION: On May 20<sup>th</sup> 2015 at approximately 1:45pm Holly Slinkard, Licensee, stopped an inspection in progress because she said she was too busy and was not open, the Investigator could do the inspection the next day. This is a violation of 04.11.630: Accessibility of license and licensed premises to inspection and 3AAC 304.515 Inspection**

**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.

Receipt:	Violation Observed By: <b>Inv.Richard Finney</b>
----------	--

.....

McKinley Creekside Cabins & Café  
The Great Alaska Fish & Chip Co  
PO Box 89 / Mile 224 Parks hwy  
Denali National Park, Alaska 99755  
1-888-5DENALI (533-6254)  
[www.mckinleycabins.com](http://www.mckinleycabins.com)

# Slinkard and Smith Co. LLC

June 8, 2015

To: ABC  
From: Holly Slinkard  
RE: Violation / License # 4006

Dear Whom it may concern,

This is in response to the violation issued by Richard Finney on May 20, 2015. Mr. Finney came by and spoke to my front desk about my liquor licenses. He then came to me asking for my restaurant designation permit, as it wasn't on the copy that front desk had of my license. I explained that I wasn't yet open to the public, but frantically trying to get my restaurant trained and up and running in the next few days. As is common with any seasonal business owner on May 20<sup>th</sup>. When I spoke to Mr. Finney, I was literally in the kitchen trying to train my chefs, and do a trail run of the dinner items (Mr. Finney came in at about 4pm ish). That all my paperwork was in order and although I didn't know where my copy of the resignation permit, I would get one immediately and he could come back tomorrow. He didn't like that idea, and threatened taking away my license. I of course did not like that answer, and we parted ways. I immediately called the ABC board, spoke to Jane Sawyer and had her fax me copies of my license/permit. About an hour later or so, Mr. Finney came back and said he was issuing me a violation for failure to inspect. I disagreed and said I wasn't not allowing an inspection, just that I had to get my copy (which by then I already had it in the office), and to come back. He was emphatic about issuing me the violation and left. I feel this is an unnecessary violation and should be removed. If you have any questions please feel free to give me a call at 907-683-2270

Kind Regards,



Holly Slinkard  
[hollyslinkard@yahoo.com](mailto:hollyslinkard@yahoo.com)

.....

Tab

**15**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board  
FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015  
RE: NOV: Ketchikan Moose Lodge  
#224, License #743

This is a Notice of Violation per AS 04.11.110(d) for violating the provision that club licensees may only sell alcohol to members and their families. The licensee has failed to respond to the Notice of Violation per 3 AAC 304.525(a)(1)(B) which brings the licensee before the board.

Date of violation: March 13, 2015  
Date NOV issued: March 19, 2015  
Date of service of NOV: March 25, 2015  
Inquiry for the Board: How can the board convince the licensee to provide the required written response to the NOV?  
Recommendation: Suspension of license until written response provided.



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

Date: 03-19-2015  
Number AB1500303  
Page 1 of 1

## Notice of Violation

(3AAC 304.525)

Licensee Ketchikan Loyal Order of the Moose Lodge #224	License Number 743	Type of License Club
D.B.A. Moose Lodge #224	How Delivered <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Law Enforcement Agency Ketchikan Police Department
Street or P.O. Box P.O. Box 5224	City, State Ketchikan, AK	Zip 99901

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

**VIOLATION:** Sold alcoholic beverages to non-member on 03-13-2015 at a pool tournament held on premises.

Notice of your right to an Administrative Hearing.

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

Your attention is directed to **Sec. 04.11.110(d) Club License:** [...] Alcoholic beverages sold under a club license may be purchased only by (1) members of the club and their families  
**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.

Receipt:	Violation Observed By: anonymous complainant
Filed By: 	Title: 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:



Moose Lodge #224  
744 Water Street  
Ketchikan, AK 99901

2. Article Number

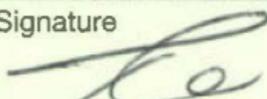
(Transfer from service label)

7003 2260 0007 2204 3675

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

MAR 27 '15 PM 1:14

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

3-25-15

3. Service Type

 Certified Mail®  Priority Mail Express™ Registered  Return Receipt for Merchandise Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

Tab

**16**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: NOV: Stock Transfer Pipeline Club  
License #874

This is a Notice of Violation per AS 04.11.040(c) and 3 AAC 304.175(b) for failing to complete a stock transfer upon change in controlling interest. The licensee has not been responsive to agency efforts to assist in the completion of the transfer. The licensee has not responded to a Notice of Violation, resulting in a further violation of 3 AAC 304.525(a)(1)(B).

Date of event requiring stock transfer: November 27, 2011- Death of shareholder; corporation report not updated; corporation involuntarily dissolved June 10, 2013

Date event first reported to board: In phone call before February 28, 2014

Date letter from Licensing sent: Certified letter June 11, 2014 (for action by July 10)

Date of additional contacts from licensing: Certified letter May 15, 2015

Notice of Violation sent: June 1, 2015

Date of responses by licensee: Phone call from licensee after May 21, 2015

Inquiry for the Board: How can the board, local governing body and public determine who is operating this license?

Recommendation: Revoke license because the corporation that owned the license was involuntarily dissolved and there is no responsible party behind this license.



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 6-1-15  
 Number AB15-0440  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Valdez Motel Corporation	<b>License Number</b> 874	<b>Type of License</b> Beverage Dispensary - Tourism
<b>D.B.A.</b> Pipeline Club 112 Egan Drive	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b> Valdez Police Department
<b>Street or P.O. Box</b> PO Box 472	<b>City, State</b> Valdez, AK	<b>Zip</b> 99686

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 received an Accusation and Notice of your right to an Administrative Hearing.

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

**VIOLATION:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Licensing staff notes indicate they have contacted you multiple times since early 2014 to correct this issue. This is a violation of Title 04.

Your attention is directed to **AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304.AAC175(b): Transfers**

**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 APPREARANCE, 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**  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

A Response is Required

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

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

Hand delivered by VPD 06/01/15  
 Certified mail #7013 1090 0001 2774 4378



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 West 7<sup>th</sup> Ave., Suite 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

May 15, 2015

Valdez Motel Corporation  
Attn. Mark Lee  
PO Box 472  
Valdez, AK 99686

via certified 7011 2970 0003 3312 5783

Beverage Dispensary Tourism Liquor License #874 Pipeline Club

Dear Mr. Lee:

On the 2014-2015 renewal liquor license application you indicated a different distribution of stock than what had been originally filed with the Alcoholic Beverage Control Board. This is a change in controlling interest and requires a transfer of ownership (stock transfer). Please submit your completed transfer documents by June 15<sup>th</sup> 2015 to avoid a potential suspension of liquor service.

The ABC Board record of ownership is as follows: Mark Lee 47% and James Lee 47%. It is my understanding that James Lee is deceased. If this is correct **a transfer of stock must occur**. The executor of his estate can sign the liquor license transfer documents. Please provide the court document which names the executor when you submit the application.

Contact State of Alaska Division of Corporation's and bring your corporation into good standing (it is now Involuntarily Dissolved). You will also need to make a change in the stockholders. Now James Lee is still shown as a stockholder.

I am sending you a transfer application package and expect to receive your transfer of ownership by June 15, 2015 to avoid a summons before the ABC Board and potential suspension of liquor service.

If you have any questions, please contact our office immediately.

Maxine Andrews  
Business Registration Examiner  
Direct line: 907-269-0358  
Email: maxine.andrews@alaska.gov

**COPY**

Enclosures: Transfer Application forms, Div. of Corp. data sheet, ABC owner data sheet

**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:

Valdez Motel Corporation  
Attn. Mark Lee  
PO Box 472  
Valdez, AK 9968

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** *S. Lee*  Agent  
 Addressee

B. Received by (Printed Name)  
*S. LEE*

C. Date of Delivery

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

*MAY 26 15 4:00 PM*  
*5/21/15*

3. Service Type  
 Certified Mail®  Priority Mail Express™  
 Registered  Return Receipt for Merchandise  
 Insured Mail  Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7011 2970 0003 3312 5783

State of Alaska  
Department of Commerce, Community and Economic Development  
Corporations, Business and Professional Licensing

VALDEZ MOTEL CORPORATION  
M A LEE  
P O BOX 65  
VALDEZ, AK 99686

## Certificate of Involuntary Dissolution/Revocation

The undersigned, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

**VALDEZ MOTEL CORPORATION**



IN TESTIMONY WHEREOF, I execute the certificate  
and affix the Great Seal of the State of Alaska  
effective June 11, 2013.

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell  
Commissioner



THE STATE  
of **ALASKA**

GOVERNOR SEAN PARNELL

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

June 11, 2014

Valdez Motel Corporation  
Attn; Mark Lee  
PO Box 472  
Valdez, AK 99686

Via certified 4006 3450 0003 7321 3514

Re: Renewal of Beverage Dispensary - Tourism Liquor License #874 Pipeline Club

Dear Mark Lee:

Please submit transfer of ownership (stock transfer). The ABC Board records show this license is owned by Mark Lee 47%, and James Lee 47%. The 2014-2015 renewal document you submitted indicates the stock is now held Mark Lee 42 %, Susan Lee 42% and Linda Lee 16%. This is a transfer of controlling interest and requires a complete liquor license transfer. The format of advertising which will be accepted by the ABC Board is enclosed. I have included the correct format for advertng for a stock transfer. I will gladly assist you in all the statutory requirements; please do not hesitate to ask.

Please contact State of Alaska Division of Corporations and bring your entity #8705D for Valdez Motel Corporation into compliance. The status now is Involuntarily Dissolved. This status is perhaps because the biennial report which was due January 2, 2013 was not filed. The stock percentage is does not match your 2014-2015 renewal document.

Linda Lee has never submitted fingerprints to the ABC Board for background check. Stature requires and person holding 10% or more stock submit fingerprints. The fee for processing the background check is \$51.50 per person. The instructions for fingerprints and the cards are enclosed.

Please submit the completed transfer forms by July10th or contact our office with and explanation for the delay.

If you have any questions, please contact our office.

A handwritten signature in cursive script that reads "Maxine Andrews".

Maxine Andrews  
Business Registration Examiner  
Direct line: 907-269-0358  
Email: [maxine.andrews@alaska.gov](mailto:maxine.andrews@alaska.gov)

Enclosures: Transfer application; SOA Div. of Corp. contact info; Entity #8705D data sheet;  
Format for advertising; fingerprint instructions and cards

**COPY**

7006 3450 0003 7321 3514

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

Total Postage \$

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

Valdez Motel Corporation  
Attn: Mark Lee  
PO Box 472  
Valdez, AK 99686

2014/2015 Renewal Checklist

License # 874 d.b.a The Pipeline Club

License Application Complete: 2/28/14 mra

8  
7  
4

DBA	No Change <input checked="" type="checkbox"/>	New:
Licensee	No Change <input checked="" type="checkbox"/>	New:
Premises Address	No Change <input checked="" type="checkbox"/>	New: Authorized:
Mailing Address	No Change <input checked="" type="checkbox"/>	New:

License questions answered correctly:  Yes  No

Corrections taken:

Corporation Information:

In "good standing" – Div. of Corporation website  Yes  No

Stockholders and officers match our licensing database  Yes  No

Fees paid: License fee  Filing fee  FP fee  Late fee

fee notes

Corrections made:

need to transfer James Lee is <sup>deceased</sup> ~~deceased~~, involuntary dissolved

Return to Max

**2014/2015 Liquor License Renewal**

<b>License Number</b>	<b>License Type</b>	<b>Establishment Name</b>
874	Hospitality	The Pipeline Club
N/A	<b>Seasonal Date From:</b>	<b>Seasonal Date To:</b>
<b>Mailing Address</b>		<b>Premises Address</b>
POB 472 Valdez, Ak 99686		112 Eagen Valdez
Valdez Motel Corporation		City: Valdez
		Borough:

<b>Phone:</b> 907-835-4332	<b>Fax:</b> 907-835-4416
<b>Email:</b> piprinn@gci.net	pipeinn@gci.net
<b>Employer Identification # (EIN)</b>	92-0036937
<b>Community Council (Anchorage &amp; Mat-Su only)</b>	Valdez City Council

Please mark the correct box to answer:

- Was your business open at least 30 days for 8 hours each day in 2012? Yes No
- Was your business open at least 30 days for 8 hours each day in 2013? Yes No
- Has the licensed premises changed from the last diagram submitted? Yes No
- Has any person named in this application been convicted of a felony or Title 4 violation? Yes No

**IF RESTAURANT EATING PLACE LICENSE:**

Gross receipts from sale of food were at least 50% of total gross receipts for 2012 and 2013? N/A Yes No

**IF PACKAGE STORE LICENSE:**

Do you intend to ship alcoholic beverages in response to a written order? Yes No  
N/A

List all corporation members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
Mark Lee POB 472 Valdez	Pres.	42	835-4332
Susan Lee POB 472 Valdez	V.P.	42	835-4965
Jamie Lee POB 472 Valdez	Sec/Tres	0	835-4965
Linda Lee 6423 Blackberry Anch.	SHARE	16	243-5991

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone

License Fee *see page 3 for fees	\$ 2,500.00
Filing Fee	\$ 200.00
<b>TOTAL</b>	<b>\$ 2,700.00</b>
Late Fee – If Received or Postmarked after 12/31/13	\$ 500.00
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
<b>GRAND TOTAL</b>	<b>\$ 3,200.00</b>

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a licensee (a sole proprietor or partner), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

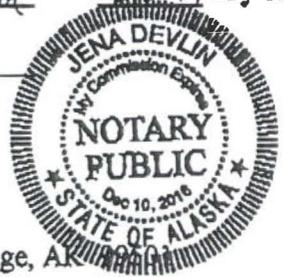
Mark Lee  
Licensee Signature

Mark Lee / Pres.  
Printed Name & Title

Jana Devlin  
Notary Signature  
Notary Public in and for the State of Alaska

Subscribed and sworn to before me this  
28th day of February, 2014

My commission expires: 12-10-16



## ABC LICENSE MANAGEMENT

### Add/Update Owner or Enterprise

### Licenses

ID: 2406

Name: Valdez Motel Corporation

Address: PO Box 472

City: Valdez

State: AK

ZIP: 99686

Email: pipeinn@gci.net

874 Pipeline Club 112 Egan Dr

### Interested Parties

ID	Name	%	Aff	Pres	VP	Sec	Treas	Off	Mbr	Mgr	Edit	Delete
716	Mark Lee	47.00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Edit</a>	<a href="#">Delete</a>					
717	Susan Lee	0.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Edit</a>	<a href="#">Delete</a>
718	James Lee	47.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Edit</a>	<a href="#">Delete</a>
Total Percentage												

## Division of Corporations, Business and Professional Licensing

### Name(s)

Type	Name
Legal Name	VALDEZ MOTEL CORPORATION

### Entity Details

**Entity Type:** Business Corporation

**Entity #:** 8705D

**Status:** Involuntarily Dissolved

**AK Formed Date:** 6/16/1969

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2013

**Entity Mailing Address:** POB 1027, WILLOW, AK 99688

**Entity Physical Address:** W WILLOW COMMUNITY CENTER CIRCLE, WILLOW, AK 99688

### Registered Agent

**Agent Name:** M A LEE

**Registered Mailing Address:** P O BOX 65, VALDEZ, AK 99686

**Registered Physical  
Address:**

### Officials

AK Entity#	Name	Titles	Percent Owned
	James Lee	Director, Secretary, Treasurer	47
	Mark Lee	Director, President	47
	Susan M Lee	Director, Vice President	0

### Filed Documents

Date Filed	Type	Filing	Certificate
6/16/1969	Creation Filing		

9/18/1987	Biennial Report		
5/1/1989	Biennial Report		
12/24/1990	Biennial Report		
12/29/1992	Biennial Report		
2/17/1995	Biennial Report		
12/30/1996	Biennial Report		
1/4/1999	Biennial Report		
12/15/2000	Biennial Report		
4/11/2003	Biennial Report		
8/28/2005	Biennial Report		
1/31/2008	Biennial Report		
8/12/2010	Biennial Report		
12/21/2011	Biennial Report		
6/10/2013	Admin Dissolution		



# State of Alaska

Department of Public Safety

## Alcoholic Beverage Control Board

Sean Parnell, Governor  
Joseph A. Masters, Commissioner

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June 21, 2012

Valdez Motel Corporation  
Attn: Mark Lee  
PO Box 472  
Valdez, AK 99686

RE: Pipeline Club Liquor Lic. #874

Dear Mr. Lee:

The ABC Board is in receipt of your 2012/2013 liquor license renewal application. In checking corporation records with the Division of Corporations I find that their records indicate the above named corporation is "Non-compliant". In addition, your renewal application lists a Linda Lee with 6% ownership, but the Division of Corporations records do not list Linda Lee.

Please contact and update your information with the Division of Corporations. I attach the contact information for the Division of Corporations. If you have questions or concerns, please feel free to contact me.

Sincerely,

SHIRLEY A. GIFFORD  
Director

*/s/Christine C. Lambert*

Christine C. Lambert  
Licensing & Records Supervisor

Encl: Copy of Division of Corp. Records  
Contact Information for Div. of Corp.

#8575

### 2012/2013 Liquor License Renewal

License Number	License Type	Establishment Name
874	Beverage Dispensary	Pipeline Club
If Seasonal License	Seasonal Date From:	Seasonal Date To: N/A

Mailing Address	Premise Address
Valdez Motel Corporation	112 Egan Dr.
PO Box 472	

Phone: 835-4332	Fax: 835-4441
Email: PIPEINN@GCI.NET	

Please mark the correct box to answer:

1. Was your business open at least 30 days for 8 hours each day in 2010?  Yes  No
2. Was your business open at least 30 days for 8 hours each day in 2011?  Yes  No
3. Has the licensed premise changed from the last diagram submitted?  Yes  No
4. Has any person named in this application been convicted of a felony?  Yes  No

List all corporation members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
MARK LEE	PRES/GM	47	8354332
JAMES W. LEE	SEC/TRES.	47	8354444
LINDA LEE	DIRECTOR	6	

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone

License Fee	Application Fee	Late Fee	Fingerprint Fee	TOTAL
-------------	-----------------	----------	-----------------	-------

\$2500.00	\$200.00			\$2700 <sup>00</sup>
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By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a licensee (a sole proprietor, partner or officer, director, shareholder, member, of the entity to which license is issued), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

Mark Lee Licensee Signature      STEPHANIE MORGAN Notary Public Seal      MARK LEE/PRES-GM Printed Name & Title

Stephanie Morgan Notary Signature      Subscribed and sworn to before me this  
 Notary Public in and for the State of Alaska      29 day of December 2011

My commission expires: August 25, 2015

## Division of Corporations, Business and Professional Licensing

### Name(s)

Type	Name
Legal Name	VALDEZ MOTEL CORPORATION

### Entity Details

**Entity Type:** Business Corporation

**Entity #:** 8705D

**Status:** Non-Compliant

**AK Formed Date:** 6/16/1969

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2013

**Entity Mailing Address:** POB 472, VALDEZ, AK 99686

**Entity Physical Address:** POB 472, VALEDEZ, AK 99686

### Registered Agent

**Agent Name:** M A LEE

**Registered Mailing Address:** P O BOX 65, VALDEZ, AK 99686

**Registered Physical  
Address:**

### Officials

AK Entity#	Name	Titles	Percent Owned
	James Lee	Treasurer, Director, Secretary	47
	Mark Lee	President, Director	47
	Susan M Lee	Director, Vice President	0

### Filed Documents

Date Filed	Type	Filing	Certificate
6/16/1969	Creation Filing		
9/18/1987	Biennial Report		
5/1/1989	Biennial Report		

Tab

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: NOV: Red Robin, License #3304

This is a Notice of Violation per AS 04.16.052 for furnishing alcohol to a minor. The licensee has failed to respond to the Notice of Violation per 3 AAC 304.525(a)(1)(B) which brings the licensee before the board.

Date of violation: April 16, 2015

Date NOV issued: April 17, 2015

Date of service of NOV: April 22, 2015

Inquiry for the Board: How can the board convince the licensee to provide the required written response to the NOV?

Recommendation: Suspension of license until written response provided.



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 4-17-15  
 Number AB15-0399  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

Licensee <b>Gourmet Ventures Inc.</b>	License Number <b>3304</b>	Type of License <b>Beverage Dispensary</b>
D.B.A. <b>Red Robin</b> 1190 N. Muldoon Road	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency <b>Anchorage Police Department</b>
Street or P.O. Box <b>4450 Cordova St., Ste 100</b>	City, State <b>Anchorage, AK</b>	Zip <b>99503</b>

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 4-16-15, at about 1514 hours, Red Robin bartender Mirela Eryka Zakrzewska furnished an alcoholic beverage to a person under 21 and then allowed the under 21 person to remain on the licensed premises. These are violations 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  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

7013 2250 0000 9617 5323

**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: <b>UB 13-011</b>
Filed By: <i>JR Hamilton</i>	Title: 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:

Gourmet Ventures, Inc  
 4450 Cordova St Ste 100  
 Anchorage, AK 99503



2. Article Number

(Transfer from service label)

7013 2250 0000 9617 5323

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

JILL S SMITH

C. Date of Delivery

4.22.15

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

APR 24 '15 AM 11:35

3. Service Type

 Certified Mail® Priority Mail Express™ Registered Return Receipt for Merchandise Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

 Yes

Tab

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: NOV: River View Quick Stop  
License #968

This is a Notice of Violation per AS 04.11.040(c) and 3 AAC 304.175(b) for failing to complete a stock transfer upon change in controlling interest. The licensee has not been responsive to agency efforts to assist in the completion of the transfer. The licensee has not responded to a Notice of Violation, resulting in a further violation of 3 AAC 304.525(a)(1)(B). AS 04.11.050 requires a change in stock to be reported within 10 days in a report to the board.

Date of event requiring stock transfer: April 22, 2013- Change in controlling interest

Date event first reported to board: December 31, 2014 in renewal application

Date letter from Licensing sent: Certified letter May 18, 2015

Date of additional contacts from licensing: Phone calls 12/31/14, 4/2/15, emails 4/7/15, 6/10/15

Notice of Violation sent: June 1, 2015

Date of responses by licensee: None other than phone calls mentioned

Inquiry for the Board: How can the board get the licensee to complete the stock transfer paperwork?

Recommendation: Suspend license until completed stock transfer application received.

Other consideration: Licensee has a history of not responding to the agency. In 2011-2012 we struggled to get him to complete a different type of transfer.



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 6-1-15  
 Number AB15-0438  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Riverview Retail, LLC	<b>License Number</b> 968	<b>Type of License</b> Package Store
<b>D.B.A.</b> Riverview Quick Stop	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b> Alaska State Troopers
<b>Street or P.O. Box</b> 1316 Badger Road	<b>City, State</b> Fairbanks, AK	<b>Zip</b> 99705

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:** Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Business registration examiners notes indicate they have contacted you multiple times since the end of 2014 to correct this issue. This is a violation of Title IV.

**Your attention is directed to AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304AAC175(b): Transfers**

**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 recurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

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

Cynthia Franklin, Director  
 Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

### A Response is Required

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

<b>Receipt</b> <i>Sue Poulson 6/18/15</i>	<b>Violation Observed By:</b> F.R. Hamilton
<b>Filed By:</b> <i>F.R. Hamilton</i>	<b>Title:</b> Investigator III



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7<sup>th</sup> Avenue Ste. 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

May 18, 2015

Riverview Retail, LLC  
DBA Riverview Quick Stop  
Attn: Gene Lunney  
1316 Badger Road  
North Pole, AK 99705

Certified: 7011 2970 0003 3312 5790

Re: Package Store Liquor License # 968

Dear Gene,

On the renewal application for this license you stated that you (Gene Lunney) and Nick Kelsch are 50/50 owners of this license. Our records indicate you (Gene Lunney) are 100% owner. This is a change in controlling interest.

Per Alaska Statute 04.11.040 ( c ) *“A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board”*. The written consent of the board is by approving your stock transfer application that must be submitted to us.

I spoke with you about this at the time I processed your renewal in January and you stated you would be working on the transfer.

On April 7<sup>th</sup> 2015, I sent an email to [dodiecaputo@gmail.com](mailto:dodiecaputo@gmail.com) where I, again, explained to you the need of a stock transfer.

On April 8<sup>th</sup> 2015 someone left me a voicemail saying she had received the email but that you were out of town and that as soon as you came back she would let you know.

It has now been over four months and as of today our office has not received the required transfer of controlling interest, nor had I gotten a call from you.

I would like to remind you that per AS 04.11.370 (a) *A license or permit shall be suspended or revoked if the board finds: (3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent.*

Please submit your transfer 30 days after receipt of this certified letter. Failure to do so will result on your license being presented to the board for action.

If you have further questions please don't hesitate to contact me.

Sincerely,

Jane Sawyer  
Business Registration Examiner  
907-269-0359  
Jane.sawyer@alaska.gov

**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:

Riverview Retail, LLC  
DBA Riverview Quick Stop  
Attn: Gene Lunney  
1316 Badger Road  
North Pole, AK 99705

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature -  Agent  
 *Claire Sundgren*  Address

B. Received by (Printed Name)  C. Date of Delivery  
*Claire Sundgren* *05/18/15*

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

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  
(Transfer from service label)

7011 2970 0003 3312 5790

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**From:** Sawyer, Jane Preston (CED)  
**Sent:** Tuesday, April 07, 2015 9:00 AM  
**To:** 'dodiecaputo@gmail.com'  
**Subject:** Liquor license #968 Riverview Quick Stop

Good morning Gene,

I left a you a message with the person answering the phone on 4/2/15 to give me a call back.

We spoke on 12/31/14 about the need for you to do a stock transfer. Our records show you are the 100% owner of Riverview Retail, LLC, however, on your renewal application processed back in December and for which I issued a renewed license, you stated that now you and Nick Kelsch own this license 50/50. This requires a controlling interest transfer (also referred to as stock transfer).

Alaska Statute 04.11.040 ( c ) cites:

*" A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board"* Written consent of the board means submitting the stock transfer paperwork for the board to review and approve or deny.

Please contact me as soon as possible with proof that you are working on the transfer. Please note that failure to comply with ABC Board statutes and/or regulations may result in the suspension of your license.

Thank you

**Jane Sawyer**  
Business Registration Examiner  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501  
Tel: 907-269-0359 Fax: 907-334-2285

Required Documents	Date Received	Comments	Reviewers Initials
Application AS 04.11.260	10/19/11	revised per phone conversation w/ Gene 10/26/11	John
Posting Affid AS 04.11.310	10/19/11	is edited per phone request 10/26/11	John
Proof of Adver AS 04.11.310	10/19/11	waiting for correction to read correct owners (new & current)	John
Corp/Partner AS 04.11.260 AS 04.11.430 13 AAC 104.105(4)	4/17/12	waiting for Div. of Corp. to read Gene Lummey as owner & 100%	cel
Right Title/Lease 13 AAC 104.107(6)	12-17-12		cel
Financial Int State AS 04.11.450	10/19/11		John
Creditors Affid AS 04.11.280(b)	11-26-12		cel
Fingerprint Cards AS 04.11.295	10/19/11	waiting for \$51.25 \$51.50 provided 11-26-12 #9306	John
Premise Diagram 13 AAC 104.185	10/19/11		John

Name/s of applicant on FP card:

Gene R. Lummey, JR

Checklist for transfer in 2011/12 to Riverview Retail, LLC w/ Gene Lummey 100%

Notices Req.	Date Sent	Date Hold Recd	Date Approved	Received by Initials
90 Day Ltr AS 04.11.510	10/28/11			John
LGB Notice AS 04.11.520	10/26/11		12/01/11	John
Community Council AS 04.11.310(b) MOA & Mat-Su Bor	N/A			John
Fire AS 04.21.030(2) Deferred Juris List	N/A			John
DOL - Emp Sec Div AS 04.21.030(2)	10/24/11		11/04/11	John
Dept of Revenue AS 04.21.030(2)	10/24/11		3-27-12	John



THE STATE  
of ALASKA

GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E Tudor Road  
Anchorage, Alaska 99507  
Main: 907 269 0350  
Chris Lambert: 907 269 0359  
TDD: 907 465 5437  
Fax: 907 272 9412

11-20-12 called  
Espola w/ Gene  
re: lease.

November 14, 2012

Riverview Retail, LLC  
Attn: Gene Lunney  
1316 Badger Road  
North Pole, AK 99705

Mr. Lunney:

On October 19, 2011 the ABC Board received a transfer application for liquor license Riverview Quick Stop. Ms. Oates reviewed the application and emailed a list of items necessary to complete the application on 10/28/11 (copy enclosed). On July 27, 2012 I reviewed the file and requested the necessary documents to complete this application (copy enclosed). The following items have not been received in our office to date:

1. Lease indicating Riverview Retail, LLC has right title to do business at the location.
2. The Creditors Affidavit completed by the current owner, Riverview Quick Stop, Inc. (form enclosed)
3. Fingerprint processing fee of \$51.50 (check #7278 enclosed for \$54.25)
4. Location diagram (form enclosed)
5. Copy of the Correction Advertisement should read as follows: "Riverview Quick Stop, Inc. d/b/a Riverview Quick Stop located at 1316 Badger Road, North Pole is applying for a transfer of a package store liquor license (AS 04.11.150) to Riverview Retail, LLC."
6. Please include your federal employer identification number with these documents.

As this license application has been pending for over 12 months, the ABC Board must receive these documents by December 15, 2012 in order to consider the application. If the documents are not received timely I will return the application documents to you and rescind the application.

If you have any questions or concerns regarding this information, please feel free to contact me.

Sincerely,

SHIRLEY A. COTÉ  
Director

/s/ *Christine C. Lambert*  
Christine C. Lambert  
Licensing & Records Supervisor  
[Christine.lambert@alaska.gov](mailto:Christine.lambert@alaska.gov)



THE STATE  
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E. Tudor Road  
Anchorage, Alaska 99507  
Main: 907 269 0350  
Chris Lambert: 907 269 0359  
TDD: 907 465 5437  
Fax: 907 272 9412

July 27, 2012

Riverview Retail, LLC  
Attn: Gene Lunney  
1316 Badger Road  
North Pole, AK 99705

VIA CERTIFIED MAIL  
7006 3450 0003 7319 2307

Dear Mr. Lunney:

On October 19, 2011 the ABC Board received a transfer application for liquor license Riverview Quick Stop license #968. After Ms. Oates reviewed your application she emailed a list of items necessary to complete the application on 10/28/11 (copy enclosed). To date the following items have not been received in our office:

1. The lease indicating that Riverview Retail, LLC has right title to do business at this premise
2. The Creditors Affidavit completed by the current owner, Riverview Quick Stop, Inc. (form enclosed)
3. Fingerprint processing fee of \$51.50
4. Premise diagram (form enclosed)

As this application is nine months old I will require these documents to be completed and received in our office by August 31, 2012. If the documents are not received, I will send you a request for refund and the license will revert to the current owners, Riverview Quick Stop Inc. If you have any questions or concerns regarding this request, please feel free to contact me.

Sincerely,

SHIRLEY A. COTÉ  
Director

/s/ *Christine C. Lambert*  
Christine C. Lambert  
Licensing & Records Supervisor

Encl: Creditors Affidavit form  
Premise diagram

## Lambert, Christine C (CED)

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**From:** Oates, Sarah D (CED)  
**Sent:** Tuesday, August 28, 2012 8:10 AM  
**To:** Gene Lunney  
**Cc:** Lambert, Christine C (CED)  
**Subject:** RE: Riverview Quick Stop #968 - 90 Day Letter

Thank you for the update, Gene. I look forward to receiving your envelope, and Chris or I will be sure to contact you if we need anything further.  
Have a great morning!

-Sarah

## *Sarah D. Oates*

**Business Registration Examiner | Alcoholic Beverage Control Board**  
5848 East Tudor Road | Phone: 907.269.0356 | Fax: 907.272.9412

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**From:** Gene Lunney [<mailto:gene.lunney@gmail.com>]  
**Sent:** Monday, August 27, 2012 5:16 PM  
**To:** Oates, Sarah D (CED)  
**Subject:** Re: Riverview Quick Stop #968 - 90 Day Letter

Hello Sarah, I finally have all the information you have requested. The lease agreement/purchase held us up and is now final. I will send Certified Mail tomorrow morning. I received a letter from ABC folks saying they still needed a floor plan, so I have enclosed another copy for you. I very much appreciate your patience and your help. If you need anything else, there will be no hold ups getting to you.

On Fri, Oct 28, 2011 at 10:48 AM, Oates, Sarah D (DPS) <[sarah.oates@alaska.gov](mailto:sarah.oates@alaska.gov)> wrote:

Hey Gene,

Attached is a formal notice to inform you that we've received and begun processing your application for transfer of ownership for the Riverview Quick Stop.

As I mentioned in our phone conversation yesterday, there are a few things I'll need you to do before your application can go in front of the ABC Board for approval. They are as follows:

- Print a one-time notice advertise that reads exactly as follows:

"Notice of Correction: Riverview Quick Stop, Inc. d/b/a Riverview Quick Stop located at 1316 Badger Road, North Pole, Alaska 99705 is applying for a transfer of a Package Store Liquor License (AS 04.11.150) to Riverview Retail, LLC"

- Send me a copy of a lease that lists the lessee as "Riverview Retail, LLC" (you may also have your name on there, but it MUST have your LLC as the lessee) and the leased property location as "1316 Badger Road, North Pole, AK 99705". Please make sure the lease is signed by both the lessee and lessor.
- The current owners (Riverview Quick Stop, Inc.) will need to fill out a Creditors Affidavit listing any current liens. Please have them write "None" in the boxes provided if there aren't any.
- I talked with Bill from Department of Revenue about the whole EIN number thing this morning. He says that every corporation needs to have one. I gave you a number for Lee with Department of Labor last night (269-4836). Just make sure you get one pretty soon here!
- Please enclose a check for \$54.25 for your fingerprints. This money goes to the Feds as their processing fee for the fingerprints and background check.
- Contact Division of Corporations (headquarters: [907-465-2550](tel:907-465-2550)) and file with them to change the entity members so that they read "Gene Lunney, President, 100% shareholder; Nick Kelsch, Vice President, 0% shareholder".
  - Send me a copy of the completed paperwork for Division of Corporations that reflects the requested changes to be made.
    - To view what's currently listed for your LLC, do a search at this website: <http://commerce.alaska.gov/CBP/Main/CBPLSearch.aspx?mode=Corp>
  - Contact me with Nick's date of birth, home address, and telephone number.

Thanks again for getting back to me last night, Gene. I know this is a big list of stuff, but you did a great job for being a first-time applicant and doing it on your own! If you have any questions at all, please give me a call on my direct line at 269-0356 or shoot me an email to this address.

Have a great weekend!

-Sarah

***Sarah D. Oates***

---

**Business Registration Examiner | Dept. of Public Safety | Alcoholic Beverage Control Board**

5848 East Tudor Road | ☎ [907.269.0356](tel:907.269.0356) | 📠 [907.272.9412](tel:907.272.9412) | ✉ [sarah.oates@alaska.gov](mailto:sarah.oates@alaska.gov)

Tab

**19**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: NOV: Tequila Kitchen Express,  
License #5247

This is a Notice of Violation per AS 04.16.052 for furnishing alcohol to a minor, AS 04.21.025, lack of alcohol server education, AS 04.16.150, licensee responsible for violations, and AS 04.16.030, responsibility of licensees. The licensee has failed to respond to the Notice of Violation per 3 AAC 304.525(a)(1)(B) which brings the licensee before the board.

Date of violation: April 16, 2015

Date NOV issued: April 17, 2015

Date of service of NOV: April 21, 2015

Inquiry for the Board: How can the board convince this licensee to provide the required written response to the NOV? How can the board make its authority clear with this particular licensee?

Other Considerations: This licensee was before the board on October 8, 2014, for failing to respond to an NOV for lack of server education and warning signs. The licensee was warned about the NOV. The licensee had also failed to complete an ownership transfer request and failed to update the mailing address per AS 04.11.430(b). The board instructed the licensee to complete his transfer and update his address. The licensee did not respond or take action and was again before the board at the December 1, 2014 meeting. At that meeting the board suspended the license until a complete transfer application was received.

Recommendation: Revocation of license per AS 04.11.370(a)(3).



Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, AK 99501

Date: 4-17-15  
 Number AB15-0397  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Tequila Kitchen Express, LLC	<b>License Number</b> 5247	<b>Type of License</b> Restaurant / Eating Place
<b>D.B.A.</b> Tequila Kitchen Express 2514 E. Tudor Road	<b>How Delivered</b> [ X ] Mail Receipt on file. [ ] In Person	<b>Law Enforcement Agency</b> Anchorage Police Department
<b>Street or P.O. Box</b> 2525 Blueberry Road, Ste 206	<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 4-16-15, at about 1305 hours, Tequila Kitchen Express cashier Julissa U. Martin sold an alcoholic beverage to a person under 21. Martin has been a cashier for about a month and when asked to provide proof of server education, she could not, which is required when serving/selling in Anchorage prior to being employed. Manager Alberto Perez arrived and stated Martin does not sell alcoholic beverages, she is only a cashier. She was observed assisting the cook after leaving the cashier area. It was also learned that Martin and the cook, Diego Rivera, a three month employee, did not have food handler's certification, another municipal/state requirement. These are violations of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensee and 04.21.025: Alcohol Server Education; AS04.16.150: License responsible for violations, AS04.16.030: Responsibility of 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  
 550 W. 7<sup>th</sup> Ave, Suite 1600  
 Anchorage, Alaska 99501

7013 2250 0000 9617 5347

**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:

Tequila Kitchen Express, LLC  
 2514 E Tudor Rd  
 Anchorage, AK 99507



2. Article Number

(Transfer from service label)

7013 2250 0000 9617 5347

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Dorecia Jimenez

 Agent Addressee

B. Received by (Printed Name)

Dorecia Jimenez

C. Date of Delivery

4/21/15

D. Is delivery address different from item 1?

 YesAPR 22 15 PM 12:55  
 IF YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**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

December 1, 2014

Tequila Kitchen Express LLC  
2514 E Tudor Road  
Anchorage AK 99507

Re: Suspension of License Number 5247- Restaurant/Eating Place License

Dear Tequila Kitchen Express LLC,

During the December 1, 2014 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board decided to suspend your Restaurant/Eating Place License, DBA Tequila Kitchen Express, number 5247 for an indefinite period of time. The reason for the suspension is your failure to submit a transfer of controlling interest as required by the board at the October 8, 2014 meeting in Nome. Your license will remain suspended until you meet these requirements.

If you have any questions, please contact me at 269-0350.

Sincerely,  


Cynthia Franklin, Director

cc: License file



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: November 24, 2014

FROM: Cynthia Franklin  
Director, ABC Board

RE: Tequila Kitchen Express #5247

Question for the Board:

- 1) Should action be taken against Tequila Kitchen Express for failing to comply with the Board's directions at its 10-08-14 meeting and for failing to submit a transfer of ownership application as directed by the Board?

On October 8, 2014 at its regular meeting, the board ordered Tequila Kitchen Express to appear because it had failed to respond to a Notice of Violation. At the meeting, Josue Picasso appeared and stated that he had not received notifications from the board and that the ABC did not have his correct mailing address.

The board ordered Mr. Picasso to immediately update the licensee's mailing address with the ABC board in writing. The ABC did not receive any information in writing or otherwise from Mr. Picasso until after the licensing supervisor sent a certified letter November 12, 2014 informing Mr. Picasso that he must again appear before the board on December 1, 2014 for failing to respond. After receiving the letter, Mr. Picasso called agency staff and insisted he needed to text a new address, as he was in Las Vegas and his partner was in Los Angeles. Mr. Picasso finally provided a written address by email.

The ABC discovered on September 23, 2013 that changes among controlling interest of stock ownership in Tequila Kitchen Express, LLC, the company that is operating license 5247, had been made. At that time, agency staff informed Mr. Picasso in person that a transfer application needed to be filed, and the necessary paperwork was provided. Over the past 14 months, agency staff, including the director, have told Mr. Picasso numerous times that the transfer of ownership application must be completed. No transfer application has been filed to date, no documents have been provided, and no statutory requirements have been met, but Tequila Kitchen, LLC, continues to operate its license.



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

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

November 12, 2014

Tequila Kitchen Express, LLC  
2525 Blueberry Road, Ste 206  
Anchorage, AK 99503

Re: Mandatory Appearance at the December 1<sup>st</sup> ABC Board of Directors Meeting

Dear Licensee:

At the October 8<sup>th</sup>, 2014 ABC Board of Directors meeting in Nome, the Chairman Bob Klein directed Josue (Josh) Picasso that your company was to immediately do the following:

- Inform the board, in writing, of the current mailing address for Tequila Kitchen Express, LLC.
- Begin paperwork for a transfer of controlling interest that reflects the ownership change of the LLC. A complete application needed to be submitted to board staff before the agenda was made for the December 1<sup>st</sup> board meeting.

Because you have failed to do either of these things, as specifically instructed and agreed upon, you are scheduled to reappear in front of the board at the **December 1<sup>st</sup> meeting at 11:05 AM**. This meeting is taking place in Anchorage at the Coast International Inn, located at 3450 Aviation Avenue. If you wish to appear telephonically, you may do so by calling **1-800-315-6338 and dialing 69173#** when asked for the code.

I will be out of state until November 24<sup>th</sup>, but if you have any questions or concerns, you may either reach me at the email below, or you may call Director Cindy Franklin at 269-0351.

Sincerely,

A handwritten signature in green ink that reads "Sarah".

**Sarah D. Oates**

Records & Licensing Supervisor  
sarah.oates@alaska.gov  
(907)269-0356



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

Date: 09/08/14  
Number AB14-0539  
Page 1 of 1 Page

## Notice of Violation

(3 AAC 304.525)

Licensee <b>Tequila Kitchen Express, LLC</b>	License Number <b>5247</b>	Type of License <b>Restaurant/Eating Place</b>
D.B.A. <b>Tequila Kitchen Express</b>	How Delivered <input checked="" type="checkbox"/> Certified Mail # <input type="checkbox"/> In Person	Law Enforcement Agency <b>Anchorage Police Department</b>
Street or P.O. Box <b>2525 Blueberry Road, Ste 206</b>	City, State <b>Anchorage, AK</b>	Zip <b>99503</b>

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 04/24/14 you were sent a Notice of Violation via certified mail. The mail was received and signed for on 04/28/14 by MJ Grey. You were directed to respond to the Director of the Alcoholic Beverage Control Board in writing within 10 days of receipt. As of 09/08/14, the Director has yet to receive any correspondence from you. Further investigation has also revealed that a citation you were issued for failing to post the required warning signs was never paid. On 06/02/14, you were sent a warning notice from the court system for failure to respond to a citation. On 06/26/14, the court system noted that you failed to respond or appear and entered a default judgment. The fine has since been transferred to collections.

Your attention is directed to **AS 04.21.065 (j)** and **3 AAC 304.525: Posting of Warning Signs and Communication With 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 within 10 days will result in a mandatory appearance before the ABC Board at the next Board meeting.**

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

**Robert Beasley, Interim Director  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, Alaska 99501**

7009 2820 0001 7253 2248

### 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: <b>J. BANKOWSKI</b>
Filed By:	Title: <b>INV. III</b>

*10-8-14 appeared before Board*



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

Date: 04/24/2014  
Case Number: AB14-0539  
Page 1 of 1

## Notice of Violation

(3 AAC 304.525)

Licensee <b>Tequila Kitchen Express, LLC</b>	License Number <b>5247</b>	Type of License <b>Restaurant/Eating Place</b>
D.B.A. <b>Tequila Kitchen Express</b>	How Delivered [ X ] Certified Mail # On-File [ ] In Person	Law Enforcement Agency <b>Anchorage Police</b>
Street or P.O. Box <b>2525 Blueberry Road, Ste 206</b>	City, State <b>Anchorage, AK</b>	Zip <b>99503</b>

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 04/23/14 at about 1100 hours, a licensed premises inspection was performed at Tequila Kitchen Express. Employee Alberto Raziel Perez Garcia was contacted and was unable to provide proof of completing a recognized alcohol server education course. He was advised to no longer sell alcohol without his valid server card. It was also discovered that the three required Alcohol Warning Signs were not posted anywhere on the premises and a citation was issued. These are violations of Title IV.

Your attention is directed to **AS 04.21.065 & 04.21.025: Posting of Warning Signs & 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: <b>Joe Bankowski</b>
Filed By:	Title: Investigator III

7011 2970 0003 3312 7350

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**20**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Del Rois Bar & Liquor #301 and  
#302

These renewal applications were protested by the Matanuska-Susitna Borough (MSB) for taxes owed. The matter was tabled at the April 29, 2015 ABC Board meeting for MSB to provide the applicant the reasonable opportunity to defend its application before a meeting of the local governing body per 3 AAC 304.145(d).

Date of letter offering meeting: May 12, 2015

Inquiry for the Board: Is the protest arbitrary, capricious and unreasonable per AS 04.11.480(a)?

Recommendation: Uphold the protest unless the board finds it to be arbitrary, capricious and unreasonable.

**From:** [Susan Lee](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** Del Rois  
**Date:** Thursday, June 18, 2015 7:35:02 AM

---

Sarah:

On May 27, 2015 Larry Compton called my office regarding Del Roi liquor license protest. He called from phone# 276-6660 and left a message to call him back on his cell phone# 907-227-1918 as he would be in court that day. I returned the call that same day to the cell phone and left a message to give me a call. To date, I have not heard back from him.

Susan

**Susan Lee**  
**Planner II**  
**Matanuska-Susitna Borough**  
**907-861-7862 (Direct Line)**  
**907-861-7876 (FAX)**



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

May 12, 2015

Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

SUBJECT: **Del Rois Bar & Liquor – License #301  
Renewal – Beverage Dispensary**

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed: **\$3,548.25 owed by May 31, 2015**

2) Bed Tax owed:

3) Other debts owed: **\$100 Review Processing Fee not paid. See attached letter dated February 19, 2015**

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

**Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.**

The applicant(s) has been sent a copy of this letter by certified mail, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

**YOU MAY REQUEST A MEETING WITH THE MATANUSKA-SUSITNA BOROUGH PLANNING DIRECTOR WITHIN 30 DAYS OF THE DATE OF THIS NOTICE WHEREIN YOU WILL BE AFFORDED A REASONABLE OPPORTUNITY TO DEFEND AGAINST THE PROTEST.**

***It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.***

Sincerely,

A handwritten signature in purple ink that reads "Susan Lee".

Susan Lee  
Planner II



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

permitcenter@matsugov.us

February 19, 2015

Del Rois Bar & Liquor  
P O Box 1596  
Palmer, AK 99645

**SUBJECT: \$100 FEE REQUIRED FOR REVIEW – Del Rois Bar & Liquor – Beverage Dispensary License #301– Renewal**

Dear Licensee:

The Matanuska-Susitna Borough Assembly adopted Resolution No. 04-113, which requires fees for processing various applications. There is a \$100 fee for processing the review of issuance, renewal, or transfer of liquor licenses, under MSB Code 8.40.010 – Liquor License Referrals. Please remit this fee to the Matanuska-Susitna Borough by **March 19, 2015** so that we can process the **Del Rois Bar & Liquor beverage dispensary license renewal**. Failure to pay this fee will result in a protest by the Borough of the issuance of the liquor license as a debt owing to the Borough, arising from the conduct of the business. Please submit the payment, **along with this letter**, to the Matanuska-Susitna Borough, Permit Center, 350 E. Dahlia Avenue, Palmer, AK 99645

Should you have any questions or require additional information please give me a call.

Sincerely,

Susan Lee  
Planner II



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

May 12, 2015

Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

SUBJECT: **Del Rois Bar & Liquor – License #302  
Renewal – Package Store**

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed: \$3,548.25 owed by May 31, 2015

2) Bed Tax owed:

3) Other debts owed: \$100 Review Processing Fee not paid. See attached letter dated February 19, 2015

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

**Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.**

The applicant(s) has been sent a copy of this letter by certified mail, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

**YOU MAY REQUEST A MEETING WITH THE MATANUSKA-SUSITNA BOROUGH PLANNING DIRECTOR WITHIN 30 DAYS OF THE DATE OF THIS NOTICE WHEREIN YOU WILL BE AFFORDED A REASONABLE OPPORTUNITY TO DEFEND AGAINST THE PROTEST.**

***It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.***

Sincerely,

A handwritten signature in purple ink that reads "Susan Lee".

Susan Lee  
Planner II



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department

### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

permitcenter@matsugov.us

February 19, 2015

Del Rois Bar & Liquor  
P O Box 1596  
Palmer, AK 99645

**SUBJECT: \$100 FEE REQUIRED FOR REVIEW – Del Rois Bar & Liquor - Package Store License #302– Renewal**

Dear Licensee:

The Matanuska-Susitna Borough Assembly adopted Resolution No. 04-113, which requires fees for processing various applications. There is a \$100 fee for processing the review of issuance, renewal, or transfer of liquor licenses, under MSB Code 8.40.010 – Liquor License Referrals. Please remit this fee to the Matanuska-Susitna Borough by **March 19, 2015** so that we can process the **Del Rois Bar & Liquor package store license renewal**. Failure to pay this fee will result in a protest by the Borough of the issuance of the liquor license as a debt owing to the Borough, arising from the conduct of the business. Please submit the payment, **along with this letter**, to the Matanuska-Susitna Borough, Permit Center, 350 E. Dahlia Avenue, Palmer, AK 99645

Should you have any questions or require additional information please give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Susan Lee".

Susan Lee  
Planner II



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437

May 11, 2015

Del Rois Bar Inc  
DBA Del Rois Bar & Liquor  
c/o Larry Compton, Trustee  
1007 W. 3<sup>rd</sup> Avenue Ste. 200  
Anchorage, AK 99501

**Re: Licenses #301 and 302; Borough Renewal Protest Tabled by Alcoholic Beverage Control Board**

Dear Mr. Compton,

During the April 29, 2015 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board tabled the protests filed by the Matanuska-Susitna Borough against the renewal application for Licenses #301 and 302, Del Rois Bar & Liquor. The Board found that the Borough needed to provide you a reasonable opportunity to defend your applications before a borough meeting pursuant to 3 AAC 304.145(d).

**The protests against the renewal of your licenses will be heard at the July 1, 2015 meeting of the Alcoholic Beverage Control Board in Fairbanks, Alaska. You will need to be present for that meeting.** Please contact our licensing division by June 29, 2015 to confirm your scheduled appearance.

Sincerely,

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

Cynthia Franklin, Director

cc: License files



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 Board

DATE: April 20, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Renewal Protest: Del Rois Bar & Liquor,  
License #301 & 302

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MSB: February 10, 2015

Date Protest Received: March 27, 2015

Basis for Protest: Delinquent real property taxes owed; Other debts owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled

# 301

## Sawyer, Jane Preston (CED)

---

**From:** Larry Compton <larry@comptontrustee.com>  
**Sent:** Saturday, April 18, 2015 6:58 PM  
**To:** permitcenter@matsugov.us  
**Cc:** Sawyer, Jane Preston (CED); 'Erik LeRoy'; 'Sally Compton'  
**Subject:** Del Rois Bar and Liquor Renewal License Protest  
**Attachments:** Trustee Appt DelRois Bar Inc.pdf; Trustee Appt DelRois Package Store Inc.pdf

This is address to Susan Lee, Planner II:

I am the duly appointed bankruptcy Trustee in the Del Rois Bar, Inc. and the Del Rois Package Store, Inc. cases. Attached is a copy of my appointment as Trustee in these two cases.

I see that you have filed a protest for the sale of these 2 licenses because of property taxes and fees that are due. Please be advised that there are many creditors that have holds on these licenses that are relying on the sale of the license to be paid a portion of what is owed them. Their only hope of getting paid is allow the licenses to be sold in the bankruptcy process. I have had them on the market for over a year and recently dropped the price again to attract a buyer. The Borough will also get paid out of the sale of these licenses. If you protest the transfer and the ABC Board fails to renew the licenses, neither the Borough or ANY of the other creditors will get paid.

At the present time there is no buyer. When I get a buyer there will be a new transfer process started. At that time I will be contacting the Borough to explain the selling price and how much the borough will be paid. Until I have a buyer under contract I will not know how much will be available to pay the creditors.

If you are not familiar with this process or have questions, I suggest you contact the Borough attorney who has been through the bankruptcy process before. It is critical that you withdraw your protest on Monday, April 20, 2015, by contacting Jane Sawyer at the ABC Board to do this.

I will call you on Monday to see if you have any questions. I can be reached at 907-227-1918.

Larry D. Compton, Trustee  
1007 West Third Avenue  
Suite 200  
Anchorage, AK 99501  
907-276-6660 ext. 103

Tab

**21**



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Northshore Ale House #1563

This renewal application was submitted late by the applicant and the late fee was not received by the February 28, 2015 deadline. The license was expired until the application was received and fees were paid. A temporary was issued until such time as the board could review the application.

After scheduling the license for the board meeting to review for reinstatement, enforcement personnel discovered that the licensee is leasing the bottom floor of the building containing the licensed premises to an illegal marijuana business, Northern Heights, which is a marijuana club. Northern Heights advertises such events on social media as the "Stoner Olympic Games" every Wednesday where "members" can play games like: "Bong Making, Joint Rolling, Lung Capacity, Bud Spoon Run and more!"

The ad for this event is attached and includes a specific reference to the Northshore Ale House. Northern Heights has received a letter outlining the illegality of its operation and stating that enforcement action is coming. The letter is also attached, along with a second ad depicting a promise to try a new strain of marijuana, "Ghost Haze" at the club. Other information shared on social media suggests that the two businesses share the Northshore's kitchen, as the ads for Northern Heights promote Northshore's menu items (see attached).

In reviewing the renewal application the licensing unit discovered that even though it was reported as the applicant in December of 2014, the corporation on the license, MSR, Inc., was involuntarily dissolved by the Division of Corporations in June, 2013. The applicant indicated that the corporation was in good standing with the Division of Corporations even though the corporation no longer existed. This is a false statement of material fact. A new application with a false statement of material fact requires the board to deny the application per AS 04.11.320(a)(8).



A preliminary investigation by the enforcement unit concerning real property ownership has raised concerns regarding the issue of whether the applicant has continuously maintained right, title and interest to the property as required by statute and regulation.

Inquiries for the Board:

- 1) Has the licensee shown good cause to reinstate the license per 3 AAC 304.160(e)(3)?
- 2) Would the continuation of the sale and service of alcoholic beverages by the licensee be contrary to the best interest of the public per AS 04.11.370(a)(2)?
- 3) Did the application contain a false statement of material fact? Was the application completed in compliance with AS 04.11.270? How does the corporation's involuntarily dissolution affect the renewal application (See, e.g. 04.11.260 and 3 AAC 304.105)
- 4) Who is managing day-to-day operations of the license? Is there a management agreement?

Recommendation:

Deny reinstatement of the license due to

- 1) The illegal marijuana club being housed in the building owned by the licensee and the licensed premises being operated in conjunction with an illegal marijuana club.
- 2) Involuntary dissolution of the corporation named as the owner of the license on the renewal application is a false statement of material fact and a dissolved corporation cannot own a liquor license.
- 3) Unresolved questions regarding continuous maintenance of right, title and interest to the licensed premises property.

**From:** [John Emmi](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** Msr  
**Date:** Friday, April 24, 2015 1:36:40 PM

---

I John Emmi mailed the check for the renewal to the ABC board in December and in January attempted to fax the completed application on time not knowing to me it was never received. It was when I went to the ABC board on another matter I realized then that my application was not received. The very next day I brought the original application in at that time try to determine whether or not I owed the \$500 late fee and glad to pay the late fee at that time if I knew that I needed to. The moment I was told I owed the 500.00 I paid

ALCOHOL BEVERAGE CNT  
2400 VIKING DR  
ANCHORAGE, AK 99501  
907-263-5900  
907-269-8356

12586

Late Fee  
1563

Merchant ID: 2527521202  
Term ID: 0017340000252752120201

### Phone Order

XXXXXXXXXXXX7107

VISA

Entry Method: Manual

Total: \$ 500.00

04/24/15

13:33:50

Inv #: 000005

Appr Code: 072900

Apprvd: Online

AVS Code: ZIP MATCH Z

CVV2 Code: MATCH M

Customer Copy

THANK YOU!

State of Alaska  
Department of Commerce, Community and Economic Development  
Corporations, Business and Professional Licensing

MSR, Inc.  
Law Firm of Ernouf & Coffey, PC  
1850 Bogard Rd  
Wasilla, AK 99654

## Certificate of Involuntary Dissolution/Revocation

The undersigned, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

**MSR, Inc.**



IN TESTIMONY WHEREOF, I execute the certificate  
and affix the Great Seal of the State of Alaska  
effective **June 11, 2013**.

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell  
Commissioner

## 2015/2016 Renewal Checklist

License # 1563 d.b.a Northshore Ale House

License Application Complete: 2/12/15 mra

1  
5  
6  
3

DBA	No Change <input checked="" type="checkbox"/>	New:
Licensee	No Change <input checked="" type="checkbox"/>	New:
Premises Address	No Change <input checked="" type="checkbox"/>	New: Authorized:
Mailing Address	No Change <input checked="" type="checkbox"/>	New:

License questions answered correctly:  Yes  No

Corrections taken:

**Corporation Information:**

**In "good standing" – Div. of Corporation website**  Yes  No  
 Stockholders and officers match our licensing database  Yes  No

Fees paid: License fee  Filing fee  FP fee  Late fee

fee notes

Corrections made:

John says sent by fax prior to deadline, will find proof.

**DID NOT PAY LATE FEE as of 2/12/15**

12476

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

### Renewal Liquor License 2015/2016

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

License is:  Full Year OR  Seasonal If seasonal, list dates of operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION		
<b>License Number:</b> 1563	<b>License Type:</b> Beverage Dispensary-Tourism AS 04.11.400(d)	<b>Statute Reference:</b> Sec. 04.11.400(d)
<b>Local Governing Body:</b> Outside City Limits Matanuska-Susitna Borough		<b>Community Council (if applicable):</b>
<b>Name of Licensee:</b> MSR Inc		<b>Doing Business As (DBA):</b> Northshore Ale House
<b>Mailing Address:</b> 4603 North Pittman Road, Wasilla, AK 99654		<b>Street Address or Location of Premises:</b> 1850 Bogard Road
<b>Phone:</b> 907-229-7135	<b>Fax:</b>	<b>Email:</b> AKJohnEmmi@gmail.com

### SECTION B - 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):

MSR INC

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	%	Mailing Address	Telephone Number
John E Emmi	Secretary	50	PO BOX 672049 Chugiak AK	907-229-7135
Steve M Bargasos	Treasurer	50	"	907-229-7135

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

**SECTION C – 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: <u>John Emmon I</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: <u>PO Box 672049</u>	Date of Birth: <u>8-22-67</u>	Address:	Date of Birth:
Phone: <u>907-229-7135</u>		Phone:	
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Phone:		Phone:	

**SECTION D – SUPPLEMENTAL QUESTIONS**

Was your business open at least 30 days for 8 hours each day in 2013?  Yes  No

Was your business open at least 30 days for 8 hours each day in 2014?  Yes  No

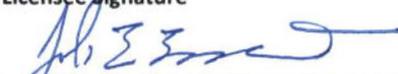
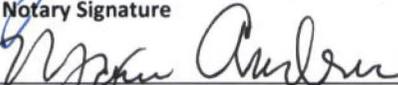
Has any person named in this application been convicted of a felony or Title 4 violation?  
If yes, attach a written explanation.  Yes  No

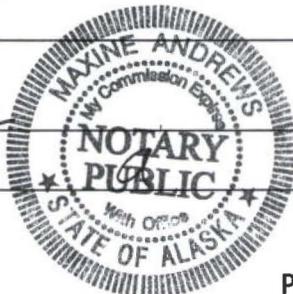
Has the licensed premises changed from the last diagram submitted?  
If yes, attach a new diagram with designated premises areas outlined in red.  Yes  No

**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.
- 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.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

<b>License Fee</b>	<b>\$ 2500.00</b>
<b>Filing Fee</b>	<b>\$ 200.00</b>
<b>TOTAL</b>	<b>\$ 2700.00</b>
<b>Late Fee of \$500.00 – if received or postmarked after 12/31/2014</b>	<b>\$</b>
<b>Fingerprint Fee – \$51.50 per person (only for new owners/members)</b>	<b>\$</b>
<b>GRAND TOTAL</b>	<b>\$</b>

Licensee Signature 	Printed Name & Title: <u>John E Emmon I Secretary</u>
Notary Signature 	Subscribed and sworn to before me this <u>12</u> day of <u>February</u> , <u>2015</u> .
Notary Public in and for the State of: <u>Alaska</u>	My commission expires: <u>w/office</u>



## Guidelines for Tourism License AS 04.11.400(d)

Please provide a "tourism statement" with your renewal application. The guidelines at the bottom of this page will assist in forming the statement. The ABC Board is requiring all tourism liquor licenses to fulfill the regulation below by providing the Board with a statement demonstrating how your establishment encourages tourism. Please attach the statement to the renewal application and submit the package to the ABC Board office. Thank you for your cooperation.

### **3 AAC 304.325. License issued to encourage tourism.**

(a) The board will, in its discretion, approve the issuance or transfer of location of a beverage dispensary or restaurant or eating place license under AS 04.11.400(d) only upon a showing that

- (1) the approval will encourage the construction or improvement of a tourist facility which would not be financially feasible without a liquor license; and
- (2) construction or improvement of the tourist facility will encourage tourism, and tourist business will constitute a substantial portion of the business of the tourist facility.

(b) Repealed 10/24/87.

(c) The licensee must show, upon application for renewal, that issuance of the license encouraged tourism, that the facility was constructed or improved in accordance with the application, and that the facility continues to be operated by the licensee. If the licensee does not make the showings required by this subsection, renewal will be denied.

### **Guidelines:**

1. Explain how your establishment "encourages tourism". *on lake with Boat Lunch with mountain views*
2. Do you offer room rentals to the traveling public? If so how many of these rooms are available? *15*
3. Do you offer food service? *yes*
4. Do any of your rental rooms have kitchenettes (defined as: a sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)? If yes, how many? *15 yes*
5. Are additional amenities available to your guests through your establishment (e.g. guided tours or trips, rental equipment for guests, other activities that attract tourists)? *public Boat, Pulverization, Beach, Boat Lunch, Docks, Cabins, Fishing Dock*



### ABC LICENSE MANAGEMENT

#### Add/Update License Payment

Transaction No.: 12476

Transaction Date: 2/12/2015 3:37:08 PM

License No.: 1563

License Holder: Northshore Ale House

Item	Amount	Account	
License Code: 1106	2500.00	54302	<a href="#">Remove Amount</a>
Transaction Type: Renewal	200.00	54301	<a href="#">Remove Amount</a>
Fingerprints:	0.00		
Other Fees & Penalties:	0.00		
Check No.: 4192	2700.00		
Cash Receipt No.: 0	0.00		
CC Receipt No.: 0	0.00		
<b>Total:</b>	<b>2700</b>		

Waiver:

Comments: did not pay late fee looking for proof he submitted on time

Updated By: SOA\mrandrews

Updated Date: 2/12/2015 3:37:08 PM



2900 E. PARKS HWY  
WASILLA, AK 99654

ANCHORAGE AK 995

29 DEC 2009 PM 11



ABC Board

2400 Viking Drive

Anchorage, AK 99501

99501+1768





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

April 14, 2015

MSR, Inc.  
4603 North Pittman Road  
Wasilla, AK 99654

RE: Expiration and Cessation of Operation of License #1563 DBA Northshore Ale House

**YOUR LIQUOR LICENSE HAS EXPIRED**

Dear Licensee:

Because a complete application for renewal and/or the required fees were not filed with the ABC Board by February 28, 2015, **your liquor license expired at midnight, February 28, 2015**, per AS 04.11.540.

**THE SERVICE, SALE, CONSUMPTION, AND/OR DISTRIBUTION OF ALCOHOL ON YOUR PREMISES MUST CEASE IMMEDIATELY.**

Per 3 AAC 304.160(e), the board will consider a written request to reinstate the license if the request is accompanied by (1) a complete application; (2) all required fees and penalty fees; and (3) proof of good cause for the failure to file and pay by February 28.

If you feel that this letter was received in error, or if you have any questions or concerns, please call the ABC Board licensing staff at 907-269-0350.

Sincerely,

A handwritten signature in green ink, appearing to read "Sarah D. Oates".

**Sarah D. Oates**

Records & Licensing Supervisor  
sarah.oates@alaska.gov  
2400 Viking Drive  
Anchorage, AK 99501  
(907)269-0350



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  
Fax: 907.334.2285

January 29, 2015

MSR Inc  
4603 North Pittman Road  
Wasilla, AK 99654

RE: Late Renewal and Expiration of License #1563 DBA Northshore Ale House

**LIQUOR LICENSE EXPIRES FEBRUARY 28, 2015**

Dear Licensee:

**Your liquor license will expire at midnight, February 28, 2015**, per AS 04.11.540 and AS 04.11.550.

In order to avoid expiration of your license and cessation of alcohol sale, service, and/or storage at your establishment, the following **must** be received by the ABC Board by February 28, 2015:

1. Completed, signed, and notarized two-page liquor license renewal application
2. License fee, application fee, and \$500.00 late fee (payable by VISA, MasterCard, Discover, or check made out to ABC Board)

The completed application and all fees must be postmarked by February 28, 2015, or faxed, scanned and emailed, or hand-delivered to our office **by 4:30pm on February 28, 2015**.

Please feel free to call the ABC Board office at 907-269-0350 with any questions or concerns you have regarding this notice or your liquor license.

Sincerely,

A handwritten signature in green ink, appearing to read "S. Oates".

***Sarah D. Oates***

Records & Licensing Supervisor  
sarah.oates@alaska.gov  
2400 Viking Drive  
Anchorage, AK 99501  
(907)269-035

## Andrews, Maxine R (CED)

---

**From:** Andrews, Maxine R (CED)  
**Sent:** Tuesday, December 09, 2014 4:08 PM  
**Subject:** Liquor License Renewal due on or before 12/31/2014  
**Importance:** High

Dear Licensee,

You are receiving this email because your liquor license will expire if not renewed by **12/31/2014** and as of today your renewal has not been received.

If you didn't receive the renewal application which was sent in September you can use the generic form found at this [link](#) on our website.

If you have mailed your renewal and still are receiving this message, perhaps it was lost in the mail. **Please call our office.**

**Renewal applications received in person in our office after 12/31/2014 or received with a post mark later than 12/31/14 will incur a \$500 late fee.**

### Maxine Andrews

Business Registration Examiner | Dept. of Commerce and Economic Development | Alcoholic Beverage Control Board  
2400 Viking Drive Anchorage, AK 99501 | 907.269-0358 | fax 907.334-2285 | [Maxine.Andrews@alaska.gov](mailto:Maxine.Andrews@alaska.gov)

aameiners@arlinc.com; aameiners@arlinc.com; adam@theblueloon.com; admin@oilersbaseball.com; agm@capefoxlodge.com; ahealey@humpys.com; ahealey@humpys.com; ak49erpub@gmail.com; akdenaliwinery@gci.net; akentertainment1@live.com; **akjohnemmi@gmail.com**; aknetmkt@mtaonline.net; ak-sung@hotmail.com; alaska@kingko.com; alaskacruises@gmail.com; Lar Watters (alaskalar7@gmail.com); alaskamsa@gmail.com; alaskavitaminsea@gmail.com; alsekraven@yahoo.com; americanlegionpost5@seward.net; amvet9@mtaonline.net; anchoragebrewing@gmail.com; anchorageelks@gmail.com; anchorinnwhittier@yahoo.com; angelcreeklodge@yahoo.com; anne.siam@acsalaska.net; anpac@kpunet.net; antoine.amouret@hotmail.com; armand.nyborg@gmail.com; baked@xyz.net; bearcreek@alaska.net; bfiacct@yahoo.com; bfisher@fishersfuel.com; bgauthierfamily@aol.com; bgauthierfamily@aol.com; bigbearstreet@yahoo.com; bigbearstreet@yahoo.com; big-bossAK@yahoo.com; blancheolivarez@remingtonhotels.com; bmills@ak.net; BNBLUCE@hotmail.com; bneumann@alaska.com; bobbysdowntown@hotmail.com; boebarnett@yahoo.com; bookkeeper@cvinternet.net; breezein@breezein.com; breezein@breezein.com; brendacrim@gmail.com; brent@alaskaroadhouse.com; Briggstommy@hotmail.com; brnbear@alaska.net; brownbear1967@yahoo.com; burtonbeer@hotmail.com; cafeamsterdam@gci.net; capchoice@usa.net; capolo.5@hotmail.com; carl@withinthewild.com; carriethemovie@hotmail.com; cbosch@r-u-i.com; chefal@gci.net; cherman@mtaonline.net; chickengold@starbound.net; cindy.zierhut@holidaycompanies.com; cindy@takulanes.com; clubparis@gci.net; clydekim@msn.com; cmarketaccounts@gci.net; cmeier@bestofalaskatravel.com; coho@ctcak.net; commandervfw10252@gci.net; connie\_newton@yahoo.com; contact@ponant.com; cordovamoose@yahoo.com; craigketzler@gmail.com; ctpfishbuyer@starband.net; cyrano@ak.net; dana@kingstreetbrewing.com; danna@stellarwinesdistributing.com; darfimpel@yahoo.com; daryl2@msn.com; David Hale (David.Hale@hale-insurance.com); david@kingcrabshack.com; Davy Anderson (davy@alaskazip.com); daybreakdp@hotmail.com; deborah.griffin@acsalaska.net; deharts@gci.net; deniseandart@yahoo.com; dennisfreeman@yahoo.com; deshkariverlodge@hotmail.com; dfc01@aol.com; tchang74@gmail.com; DJ\_Bidarkainn@hotmail.com; donna.hosso@safeway.com; dougktn@hotmail.com; dsataxes@gmail.com; ea.emery@gmail.com; elchicanoak@hotmail.com; eli.johnson@gmail.com; elstadd@yahoo.com; elstadd1@gmail.com; email@thefishingwidowak.com; EmeraldBay58@hotmail.com; Eric Gier (ericg@un-cruise.com); evansjm@mosquitonet.com; finance.alp33@gmail.com; fmburley@aol.com; focsle@kpunet.net; fortseward@gmail.com; fredbarber@gci.net; friartuckshoagiehouse@gmail.com; fypub@uaf.edu; gallostk@gmail.com; gambardellas@hotmail.com; garyfalls@gci.net; gene.lunney@gmail.com; gingerdelima@gmail.com; glaciersoundinn@yahoo.com; glenn@sunairsheetmetal.com; gm@anchoragebucs.com; goldrushak@gmail.com; grace61\_ck@hotmail.com; granny@ilovealaska.net; haydarbc@aol.com; hector@gci.net; helenfafa88@yahoo.com; hettick@gci.net; hickelinvestment@gci.net; high\_d\_pink@yahoo.com; highmarkdistillery@hotmail.com; hikingon4@gmail.com; hillbar@aptalaska.net; hillbar@aptalaska.net; hmchenry2000@yahoo.com; hollyslinkard@yahoo.com; hong1005@hotmail.com; Ed Phillips (icystraitlodge@gmail.com); info@229parks.com; info@alaskastatefair.org; info@arkrosebrewery.com; info@avalanchespirits.net; info@kingsalmonlodge.com; info@knikriverlodge.com; info@kodiakinn.com; info@lamexalaska.com; info@marxcafe.com; info@portchilkootdistillery.com; info@silverbowinn.com; info@tordrillo.com;



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, AK 99501  
Main: 907.269.0350  
Sarah Oates: 907.269.0356  
Fax: 907.334.2285

October 16, 2014

MSR, Inc.  
4603 North Pittman Road  
Wasilla, AK 99654

Dear Licensee:

Please find enclosed your liquor license renewal application for the 2015/2016 calendar years. The renewal application, corresponding fees, and any additional information requested on the application must be received in our office or postmarked no later than December 31, 2014.

Applications postmarked or brought into our office after close of business at 4:30PM on December 31, 2014 will be assessed a \$500.00 late fee in addition to the license fees per AS 04.11.270(b)(3). All liquor license applications not postmarked or received in the ABC Board office by February 28, 2015 will be considered expired licenses per AS 04.11.540.

A personal or bank check, money order, or credit card (Visa, MasterCard, or Discover only) are all acceptable forms of payment for a renewal application. If you choose to pay by credit card, please write in a contact phone number below.

---

*Please call me at this phone number to process credit card fee for renewal application.*

Please feel free to call the ABC Board office at 907-269-0350 with any questions or concerns you have regarding this notice and the accompanying renewal application.

Sincerely,

A handwritten signature in green ink, appearing to read "Sarah D. Oates".

**Sarah D. Oates**

Records & Licensing Supervisor  
sarah.oates@alaska.gov  
(907)269-0356



THE STATE  
of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W 7<sup>th</sup> Ave, STE 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

June 18, 2015

Dottie Edwards  
DBA Northern Heights, LLC  
1850 Bogard Road  
Wasilla, AK 99654

Re: Illegal Marijuana Club- Northern Heights, LLC

Dear Ms. Edwards,

On February 24, 2015, AS 17.38, also known as Ballot Measure 2, became law in the State of Alaska. That law provides for legalized personal use and possession of marijuana and for four types of regulated, licensed marijuana establishments. The law gives the Alcoholic Beverage Control Board (ABC) rule making authority until the Marijuana Control Board (MCB) is seated and assumes its responsibility. AS 17.38.085 gives the MCB, and its director and staff, enforcement authority not only over licensees but over non-licensees who violate Alaska's marijuana laws.

It has come to our attention that you are operating an illegal marijuana establishment. Although AS 17.38 provides for legal and regulated marijuana establishments, it sets forth a timeline for the ABC and MCB to create the regulations, accept applications, and issue licenses for such establishments. That timeline is running and no licenses have yet been issued. The anticipated issuance date for the first marijuana establishment licenses is May, 2016.

We have reviewed your business, Northern Lights, LLC, by its online presence, including your website and by viewing posts made by the business on social media. Based on all of the information compiled, you are operating a marijuana club where you charge members of the public to enter your business and permit them to consume marijuana that they have either brought into the establishment or which you will provide for free in exchange for the price of membership and/or an event cover charge.

Northern Heights, LLC does not qualify as a marijuana establishment under AS 17.38.900(9). That statute provides that a "Marijuana establishment" means a marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store. AS 17.38.040 prohibits the consumption of marijuana in public, which includes a business to which the public or a substantial portion of the public has access.

The campaign for Ballot Measure 2 was "The Campaign to Regulate Marijuana like Alcohol." The job of writing regulations and enforcement of marijuana laws was given to the ABC until the MCB can be seated and take over. In alcohol a club like Northern Heights, LLC is illegal. It is called a prohibited bottle club. The language is as follows:

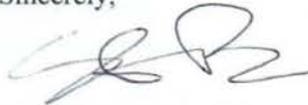
**Sec. 04.16.090. Prohibition of bottle clubs.**

- (a) A person may not maintain a place in which alcohol beverages are received or kept, or to which alcoholic beverages are brought, for consumption by members of the public or by members of a club, corporation, or association, unless the person is authorized to do so under this title.
- (b) A person may not maintain, operate, or lease premises for the purpose of providing, for a consideration, a place for drinking alcoholic beverages by members of the public or other persons, unless the person is authorized to do so under this title.
- (c) For the purposes of this section, "consideration" includes but is not limited to cover charge, the sale of food, ice, mixers, or other liquids used with alcoholic beverage drinks, or the furnishing of glassware or other containers for use in the consumption of alcoholic beverages.

Northern Heights, LLC's business model fits both sections (a) and (b) of this class A misdemeanor offense. You are operating an unlicensed marijuana business whose equivalent in the liquor licensing rules is illegal and has been illegal for more than 30 years. This business model is not accounted for in AS 17.38. Unless a future legislature explicitly creates a statute allowing for marijuana clubs, this business model will continue to be unauthorized and illegal.

This letter will serve as official notice that your business is illegal and enforcement action will be taken against you. You should immediately cease and desist from operating your illegal marijuana business. The legal consequences of opening or operating this business are varied and could range from criminal penalties to civil fines, tax penalties and prohibition from receiving an actual marijuana license when they become available in 2016.

Sincerely,



Cynthia Franklin, Director  
Alcoholic Beverage Control Board  
Marijuana Control Board

Sent via certified mail: 7013 2250 0000 9616 9735

cc: Sarah Backlin, Manager, Northern Heights, LLC  
**John Emmi, Owner, North Shore Ale House**  
Robert Klein, Chair, Alcoholic Beverage Control Board  
Chris Hladick, Commissioner, Department of Commerce, Community and Economic Development  
Randall Hoffbeck, Commissioner, Department of Revenue  
Gary Folger, Commissioner, Department of Public Safety  
John Moosey, Manager, Matanuska-Susitna Borough  
Nicholas Spiropolous, Borough Attorney, Matanuska-Susitna Borough  
Lonnie McKechnie, Clerk, on behalf of Assembly and Mayor of the Matanuska-Susitna Borough  
Bert Cottle, Mayor, City of Wasilla  
Chief Gene Belden, Wasilla Police Department  
Karen Loeffler, United States Attorney for the State of Alaska



## Comments

**Northern Heights**

June 7 at 12:59am · Edited ·

Every athlete needs to train!

In preparation for the upcoming Summer Blazin' event on June 26th and 27th we have decided to start Spring Training for our Stoner Olympics games!

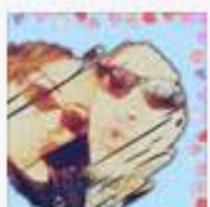
Starting Wednesday night at 5pm and every open night we will have training stations open to prepare our athletes for the games ahead! Stations will include: 1) Bong Making 2) Joint Rolling 3) Lung Capacity 4) Bud Spoon Run and more!! Come on down to Northern Heights and get your inner stoner athlete on and prepare for Summer Blazin' 2015!

1850 E Bogard Rd-Wasilla Located at the Mat Su Resort beneath the Northshore Ale House!!! Visit [www.northernheightsak.com](http://www.northernheightsak.com) for more info!!!

Like

Comment

**5 people** like this.

**Chris Cranfill**

Sounds entertaining



News Feed



Requests



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## Northern Heights

**Northern Heights** added 3 new photos.

June 10 at 4:58pm · 🌐

We open in a few minutes, are you hungry? Come share the dinner hour with us and enjoy some amazing food from Northshore Ale House menu. We have opened the entire second floor for private, intimate, comfortable dinner service.



10 Likes · 4 Comments

Like

Comment



News Feed



Requests



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More



## Northern Heights



## Northern Heights

June 11 at 8:16am · Edited ·

So how many people are going to be coming by Friday to try some of that GhostTrain Haze that I have been talking about? And dont forget about Happy Hour, get in for free between 7 -8!

4 Likes · 1 Comment



Like



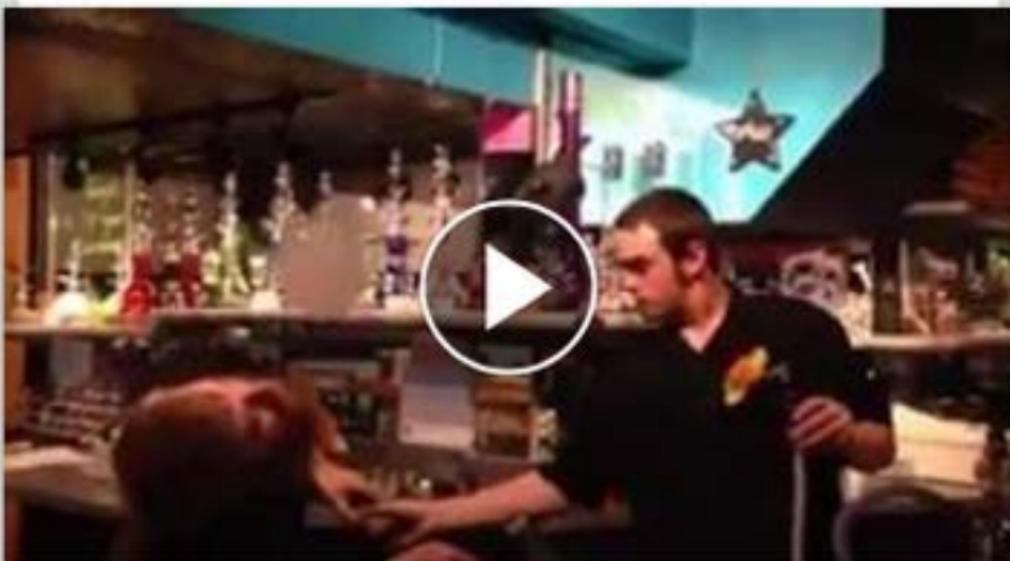
Comment



## Northern Heights at Northern Heights

June 10 at 9:24pm · Wasilla, AK ·

Come down and blow a hookah bubble!



14 Likes · 1 Comment



News Feed



Requests



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## Ghost Train Haze Strain Information - Leafly

Leafly · Sativa

★★★★★ Rating: 4.6 - 89 reviews

Mobile-friendly - May 9, 2014 - First bred by Rare Dankness, **Ghost Train Haze** is a sativa cross between Ghost OG and Neville's ...

## Ghost Train Haze, marijuana review (Strain Theory, Cannabis Cup ...

[www.thecannabist.co](http://www.thecannabist.co) · 2014/05/06 · gh...

Mobile-friendly - May 6, 2014 - Marijuana review: **Ghost Train Haze**, grown by Denver-based Green Man Cannabis and winner of the ...



More images for ghost train haze

## RARE DANKNESS GHOST TRAIN HAZE #1

[raredankness.com](http://raredankness.com) · Seeds · SATIVA · g...

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Silver Fox Inn #1962

This renewal application was deemed late by the licensing supervisor after the check for renewal was returned for insufficient funds (See April 29, 2015 memo). There were two issues with the license and one has been resolved in the interim. The Mat-Su Borough lifted its protest after the tax debt was paid. The remaining issue on the license is the late renewal after the February 28, 2015 deadline due to the returned check and failure to pay late fees incurred.

Inquiry for the Board: Has the licensee shown good cause to reinstate the license per 3 AAC 304.160(e)(3)?

Recommendation: Reinstate and renew license if good cause shown.

May 24, 2015

State of Alaska  
Alcoholic Beverage Control Board  
550W. 7<sup>th</sup> Ave. Suite 1600  
Anchorage Alaska 99501

RE: Reinstatement of liquor license #1962 and Overcoming Mat-Sue Borough protest

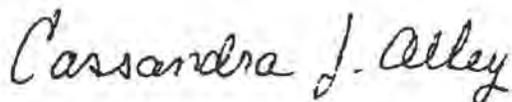
To the Control Board members:

Per the letter I was E-Mailed on May 13, 2015 dated May 11, 2015 regarding my liquor licenses expiration. I would like to take this time to apologize for this inconvenience to the Board. Please find enclosed my request to reinstate my license along with (1) Payment of all fees (2) My explanation for the cause of my failure to file and pay by the February 28<sup>th</sup> deadline. (3) The removal of the protest by the Mat-Su Borough.

If there are any questions or other requirements I have yet to answer, please feel free to call me at (307) 358-2232 or E-Mail me at Mocha2020@hotmail.com.

Again, please accept my apology.

Sincerely,  
Cassandra J Alley



Silver Fox Inn  
Owner

May 24, 2015

Silver Fox Inn liquor license #1962

RE: (2) Failure to file and pay by February 28<sup>th</sup> 2015

Please accept the following explanation for my proof of good cause for the failure to pay fees and penalties by the February 28th deadline.

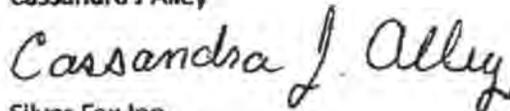
Explanation: The renewal application and licensing fees for The Silver Fox Inn liquor license #1962 was received in the ABC office on January 5, 2015. The check that was submitted for the fees was returned for lack of funds. It is my understanding that after submitting the payment for the license, my manager had left for his vacation. By the time he returned, it was past the February 28th deadline and caused the liquor license to expire. The liquor license was then revoked. About the same time the Mat-Su Borough issued a protest against the renewal of the Silver Fox Inn liquor license due to delinquent property taxes. This was rescinded May 20<sup>th</sup> as payment for the property taxes were paid. To add more calamity to the situation, I was not able to reach telephonically to explain my failure of the payment fees at the April 10<sup>th</sup> Board meeting held in Anchorage. If the Board would like, I can submit documentation from my phone records showing that I tried for over two hours to achieve this phone call. I also called Mr. Domingo many times that afternoon to let him know I could not get through to the Board Meeting. Not receiving an answer from Mr. Domingo, I called the ABC office and spoke to Ms. Andrews and told her of my dilemma. During our conversation, to my shock, the phone number I was given to call was incorrect.

With the liquor license being revoked and the next Board meeting not till July 1st. There has been considerable losses of close to \$40,000.00 in revenue and no way to pay operational costs. The laying off of my employees (now they have no way to pay their bills) is the most painful part. So, with the insufficient funding for the license payment and the incorrect Board number to call. This has been a very costly, painful and regrettable lesson in my 21 years of operation.

To the members of the Board, again, please accept this letter as my proof of good cause for my failure to pay the Silver Fox Inn liquor license #1962 fees in the timely manner required.

Sincerely,

Cassandra J Alley



Silver Fox Inn  
Owner



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437

Cassandra Alley  
DBA Silver Fox Inn  
P.O. Box 872887  
Wasilla, AK 99687

May 11, 2015

*Payment Recvd. 5/29/15  
12628*

Re: License #1962; License Expired; Borough Renewal Protest Tabled by Alcoholic Beverage Control Board

**YOUR LIQUOR LICENSE HAS EXPIRED**

Dear Ms. Alley:

Although we received your renewal application on January 5, 2015, your check for your licensing fees was returned insufficient funds. On February 10, 2015 we sent you a letter informing you of the bounced check and late fee owing (due to the check bouncing) and have not received a response from you. We also called you about appearing at the April 29, 2015 board meeting and you did not appear.

Because a complete application for renewal and/or the required fees were not filed with the ABC Board by February 28, 2015, **your liquor license expired at midnight, February 28, 2015**, per AS 04.11.540.

**THE SERVICE, SALE, CONSUMPTION, AND/OR DISTRIBUTION OF ALCOHOL ON YOUR PREMISES MUST CEASE IMMEDIATELY.**

During the April 29, 2015 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board also considered and tabled the protest filed by the Matanuska-Susitna Borough against the renewal application for License #1962. The Board found that the Borough needed to provide you a reasonable opportunity to defend your application before a borough meeting pursuant to 3 AAC 304.145(d).

To reinstate your license, per 3 AAC 304.160(e), you must file a written request to reinstate the license accompanied by (1) all required fees and penalty fees; (2) proof of good cause for the failure to file and pay by February 28, and (3) a removal of the protest by the Matanuska-Susitna Borough after you have settled your account with them. You must satisfy the requirements for reinstatement as well as overcoming the Mat-Su Borough protest in order to operate your license again.

**The protest against the renewal of your license and any written request for reinstatement received will be heard at the July 1, 2015 meeting of the Alcoholic Beverage Control Board in Fairbanks, Alaska.**

**You will need to be present for that meeting.** Please contact our licensing division by June 29, 2015 to confirm your scheduled appearance.

Sincerely,



Cynthia Franklin, Director

cc: License file

7013 2250 0000 9616 9667

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City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

Postmark Here

Cassandra Alley  
DBA Silver Fox Inn  
PO Box 872887  
Wasilla, AK 99687



## MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Permit Center

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)

May 20, 2015

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

**SUBJECT: Silver Fox Inn– License #1962  
Renewal – Beverage Dispensary/Tourism**

Please rescind the Borough's protest against the renewal of the Silver Fox Inn beverage dispensary/tourism license. The delinquent property taxes were paid May 20, 2015. Should you have any questions or require additional information please contact me at the above address or phone 861-7862.

Sincerely,

A handwritten signature in purple ink that reads "Susan Lee".

Susan Lee  
Planner II

Pc: Silver Fox Inn



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Renewal Protest: Silver Fox Inn,  
License #1962

### Issues with license renewal:

1. The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MSB: February 10, 2015

Date Protest Received: March 24, 2015

Basis for Protest: Delinquent real property taxes owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

2. The application for renewal is incomplete per AS 04.11.540

Date application received: January 5, 2015 but postmarked December 31, 2015.

Basis for incomplete application: Renewal fee payment returned for insufficient funds; late fee penalty not received

Action taken by agency: Letter sent February 10, 2015 informing licensee that check for fees was returned and informing licensee of late fee owing; no response from licensee



## MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

March 24, 2015

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

SUBJECT: **Silver Fox Inn – License# 1962**  
**Renewal – Beverage Dispensary/Tourism**

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed: \$15,436.97 owed by April 16, 2015

2) Bed Tax owed:

3) Other debts owed:

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

**Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.**

The applicant(s) has been sent a copy of this letter by certified mail, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

***It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.***

Sincerely,

A handwritten signature in blue ink that reads "Susan Lee".

Susan Lee  
Planner II

## Oates, Sarah D (CED)

---

**From:** Susan Lee [<mailto:Susan.Lee@matsugov.us>]

**Sent:** Monday, April 20, 2015 2:22 PM

**To:** Sawyer, Jane Preston (CED)

**Subject:** RE: List of protested renewals

Hi Jane:

This is what I have so far. If things change I will let you know.

#1962 – Silver Fox Inn – A portion of the delinquent property taxes were paid; however, \$7,752.34 is still owed by April 30, 2015.

Susan Lee

Planner II

Matanuska-Susitna Borough

907-861-7862 (Direct Line)

907-861-7876 (FAX)

### Return Item Image

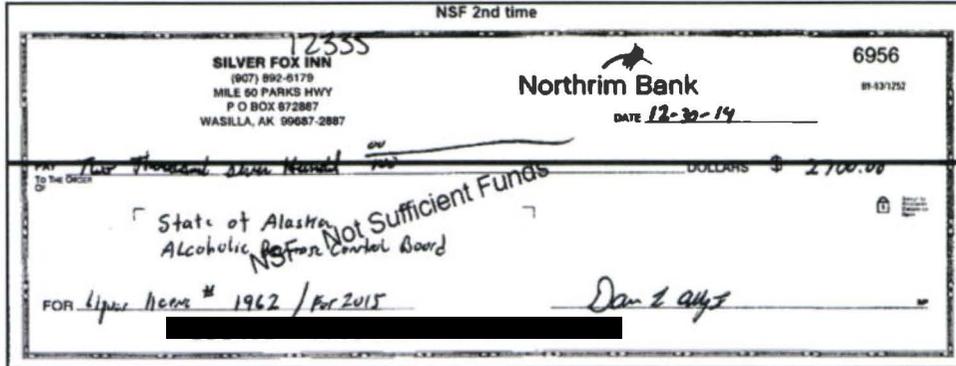
Maker Name:  
 Miscellaneous:  
 Driver's License:  
 Maker Account Number: 4166204315  
 Maker Routing Number: 125200934  
 Check Number: 6956  
 Check Amount: \$2,700.00  
 Return Reason: NSF 2nd time  
 Item Type: Chargeback

[return item report](#)

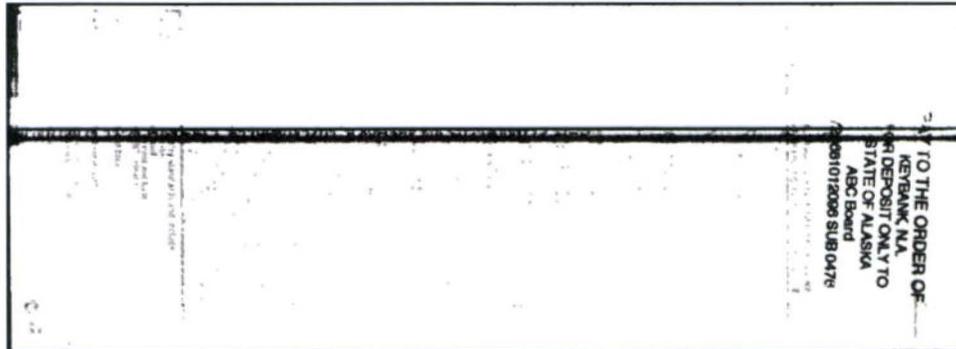
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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Captain's Choice Motel License  
#4890

This is a request for extension of time to transfer license under AS 04.11.030(c) due to death of a licensee.

Date of death: September 3, 2012

Date requested: December 19, 2012; request renewed May 16, 2015

Request made by  
executor or administrator? Yes

License being operated? Yes, by executor/administrator

First request? Yes

Recommendation: Treat the 12/19/2012 letter as a timely request for extension given the former licensing supervisor's lack of action on the request.

Action on request: Set deadline for transfer of ownership.



**Captain's  
Choice  
Inc. MOTEL**

*" A Pleasant  
Touch of Luxury"*

---

TOLL FREE 1-800-478-2345 or (907) 766-3111 • FAX (907) 766-3332 • P.O. Box 392, Haines, Alaska 99827  
Email: [capchoice@usa.net](mailto:capchoice@usa.net) • Internet: <http://www.capchoice.com>

---

May 16, 2015

State of Alaska

Alcoholic Beverage Control Board

2400 Viking Drive

Anchorage, AK 99501

Alcoholic Beverage Control Board:

Please grant the Captain's Choice Inc., dba Captain's Choice Motel, Beverage Dispensary, Tourism license # 4890 more time to complete the required change in the registration of this license from the name of Lloyd Edward Lapeyri (deceased) who owned Captain's Choice Inc. at the time of his death. The application was completed as directed by ABC Board personnel, but in reviewing another aspect of the application, it was determined that the ownership change being applied for was not legal under Alaska Statutes and a new application would be required.

Captain's Choice Inc. is currently filling out the application, readying the public notice and published advertising notice along with the additional application requirements. Thank you very much for considering this request.

Sincerely,

Laurence F. Beck, President



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of Commerce, Community,  
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, Alaska 99501  
Main: 907.263.5900  
Chris Lambert: 907.263.5923  
TDD: 907.465.5437  
Fax: 907.263.5930

February 26, 2013

Captain's Choice Inc.  
Attn: Laurence F. Beck

VIA FAX: 907-766-3332

RE: Captain's Choice Motel Liquor License #4890

Dear Mr. Beck,

In response to your letter of December 19, 2012 I refer you to AS 04.11.030 which requires that the ABC Board receive a transfer application within 90 days of the death of a licensee. Please review the statute and take appropriate action either in a time extension request or a transfer application to the executor or administrator.

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

Sincerely,

SHIRLEY A. COTÉ  
Director

/s/ *Christine C. Lambert*  
Christine C. Lambert  
Licensing & Records Supervisor  
[Christine.lambert@alaska.gov](mailto:Christine.lambert@alaska.gov)

Encl: Copy of letter received 12/19/12



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Choice  
Inc. MOTEL**

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December 19, 2012

Alcoholic Beverage Control Board  
5848 E. Tudor Road  
Anchorage, AK 99507

Dear Board Members:

This letter is in reference to the renewal of License 4890, under the establishment name Captain's Choice Motel.

Mr. Lloyd E. Lapeyri, the owner of the Captain's Choice Motel, passed away on September 3<sup>rd</sup> from injuries sustained in an automobile accident. The Captain's Choice will continue to operate through probate under the management of Laurence F. Beck, named Personal Representative in Mr. Lapeyri's Will.

It would be my desire to maintain the Liquor License registered to the Captain's Choice Inc. as showing his ownership of the motel, but registering me as the trustee of the license until such time as probate is finalized and the stock in Captain's Choice Inc. can be transferred to the designated heir in accordance with the instructions left by Mr. Lapeyri. This process is anticipated to take up to two years. My intention is to register as President and Treasurer with Jon E. Lapeyri registering as Vice President and Secretary.

The renewal application has been filled out reflecting this change and the enclosed fingerprint card done by the Haines Police Department has been enclosed to facilitate any background investigation required. Thank you for your consideration in this matter.

Sincerely,

Laurence F. Beck, President



(4) Decedent's last will and testament was submitted with the Application for Informal Appointment of a Personal representative, filed on 14 September 2012.

(5) Any notice required by the laws of this State has been given and the application is not within AS 13.16.095.

(6) The time limit for original probate has not expired.

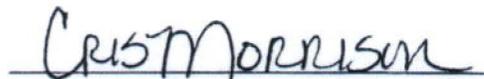
(7) A personal representative has not been appointed in this or in any other Judicial District of this State, and no will of the decedent has been the subject of a previous probate order.

(8) No bond is required under the terms of decedent's will.

(9) Laurence F. Beck is entitled to act as personal representative of the decedent's estate because he was nominated to be personal representative in the decedent's will.

THEREFORE, IT IS ORDERED that the application for informal appointment of a personal representative is hereby granted and Letters Testamentary are hereby issued to Laurence F. Beck as personal representative.

Dated this 14th day of September 2012 at Petersburg, Alaska.



Cris Morrison  
Registrar



FRED W. TRIEM  
ATTORNEY AT LAW  
PROCTOR IN ADMIRALTY  
BOX 129  
PETERSBURG, ALASKA  
99833  
(907) 772-3911

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT AT PETERSBURG

FILED in the Trial Courts  
State of Alaska  
First Judicial District at Petersburg

In the Matter of the Estate of

SEP 14 2012

By cm

LLOYD EDWARD LAPEYRI

Case No. 1PE-12-8 PR

*Lodged 9/14/12*

LETTERS TESTAMENTARY AND ACCEPTANCE

An application for informal appointment of personal representative having been filed, Laurence F. Beck is hereby appointed personal representative of the estate.

Dated this 14<sup>th</sup> day of September in 2012.



Cris Morrison  
Cris Morrison  
Registrar

FRED W. TRIEM  
ATTORNEY AT LAW  
PROCTOR IN ADMIRALTY  
BOX 129  
PETERSBURG, ALASKA  
99833  
(907) 772-3911

## ACCEPTANCE

I hereby accept the duties and responsibilities of the office of personal representative of the estate of Lloyd Edward Lapeyri, which I will perform as required by law:

- (a) provide notice to heirs and devisees as are required by AS 13.16.360, except as provided by AS 13.16.690;
- (b) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455—13.16.515;
- (c) advise the court in writing of the personal representative's address and telephone number as required by Probate Rule 8;
- (d) file returns for state estate taxes as required by AS 43.31.121 and AS 43.31.250;
- (e) pay homestead, exempt property and family allowances as required by AS 13.11.125—13.11.140, costs of administration and other claims as required by AS 13.16.470, and distribute the assets of the estate; and
- (f) close the estate as soon as appropriate as required by AS 12.16.620—13.16.670.

I have filed any required bond.



Laurence F. Beck  
Box ~~1469~~ *HC 60* Box 2560  
Haines, Alaska 99827  
(253) 926-4143

FRED W. TRIEM  
ATTORNEY AT LAW  
PROCTOR IN ADMIRALTY  
BOX 129  
PETERSBURG, ALASKA  
99833  
(907) 772-3911

VERIFICATION

Laurence F. Beck, being first duly sworn and placed under oath, deposes and says:

That I am the Applicant in the above-captioned matter, and that I have read the foregoing Acceptance, and I am familiar with the contents thereof, and that the facts as stated therein are true and correct to the best of my knowledge and belief.

*Laurence F. Beck*

Laurence F. Beck

STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT )

This is to certify that on this 8th day of September in 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Laurence F. Beck, to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal this 8th day of September in 2012.

*Karen E. Ellingstad*

Karen E. Ellingstad  
NOTARY PUBLIC for Alaska  
My appointment expires on: 15 November 2015

FRED W. TRIEM  
ATTORNEY AT LAW  
PROCTOR IN ADMIRALTY  
BOX 129  
PETERSBURG, ALASKA  
99833  
(907) 772-3911

I certify that this is a full, true, and correct copy of an original document on file in the Petersburg Trial Courts at Petersburg, Alaska.  
Witness my hand and the seal of this court.  
9-14-12 *CHORRISON*  
Date Magistrate/Clerk



**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT AT PETERSBURG**

FILED in the Trial Courts  
State of Alaska  
First Judicial District at Petersburg

In the Matter of the Estate of )  
)  
)  
)  
**LLOYD EDWARD LAPEYRI** )  
)  
)  
)

**FEB 13 2014**

BY 

**Case No. 1PE-12-8 PR**

**ORDER DENYING MOTION FOR DISTRIBUTION OF ASSETS DESIGNATED SOLELY**

**TO JON LAPEYRI**

Petitioner Jon Lapeyri moves the court for an order requiring the estate to distribute assets specifically devised to him in his father's will. His father, Lloyd Edward Lapeyri (the decedent) made a specific devise of the Captain's Choice motel to Mr. Lapeyri in his will. The estate's personal representative, Laurence Beck, opposes Mr. Lapeyri's motion. For the following reasons, Mr. Lapeyri's motion is denied.

**ISSUE**

1) Is Mr. Lapeyri entitled to an immediate distribution of the real and personal property specifically devised to him in his father's will, or does the personal representative of the estate have the power to withhold distribution and utilize the cash generated from that property to pay estate debts until the estate's final distribution?

**STATEMENT OF THE FACTS**

Lloyd Edward Lapeyri died testate on September 3, 2012. The decedent is survived by three daughters and two sons. One of the decedent's sons is Jon Lapeyri. In the decedent's last will and testament, executed June 22, 2012, the decedent made several general and specific

**ORDER RE: JON LAPEYRI'S MOTION FOR DISTRIBUTION OF ASSETS**

**ITMO: Lloyd Edward Lapeyri, 1PE-12-8 PR**

1 devises or bequests. The decedent directed that all of his property, except for the property named  
2 in specific devises or bequests, be distributed, in equal share, to his children (including Mr.  
3 Lapeyri).<sup>1</sup>

4 Among the decedent's specific bequests and devises, and of relevance here, is his bequest  
5 or devise of "[a]ll of [the decedent's] interest and stock in Captain's Choice, Inc. and the real  
6 property on which the motel is situated, to [decedent's] son Mr. Lapeyri."<sup>2</sup> Captain's Choice,  
7 Inc. is a corporation that owns and manages the motel the Captain's Choice in Haines, Alaska.  
8 The decedent was the sole shareholder of the corporation. The decedent also specifically left all  
9 equipment owned by the Captain's Choice, the decedent's residence, and all personal property  
10 located in Haines, Alaska (except for property otherwise specifically devised) to Mr. Lapeyri.

11 The decedent's will directs that all of his debts and expenses be paid before any  
12 distribution is made pursuant to the paragraph dictating the general devise and bequest to the  
13 decedent's children.<sup>3</sup> The decedent also appointed Laurence F. Beck, a longtime coworker and  
14 friend of the decedent, as his personal representative to carry out the instructions in his will. The  
15 decedent's will contains provisions regarding the power of the personal representative.  
16 Specifically, in a paragraph entitled "POWERS OF THE PERSONAL REPRESENTATIVE,"  
17 the will states that "[The decedent's] personal representative shall be authorized and empowered  
18 to operate my business and commercial enterprises without having to seek permission or  
19 supervision from the court or from the beneficiaries of this will..." The paragraph goes on to  
20 provide that the authority and power of the personal representative "should include (by way of  
21  
22  
23

24 <sup>1</sup> Last Will and Testament of Lloyd Edward Lapeyri, ¶ 6.

25 <sup>2</sup> *Id.* ¶ 7

<sup>3</sup> *Id.* ¶ 5.

1 illustration but not by way of limitation) the authority to sell assets and all other authority and  
2 power granted to a personal representative by law.”

3 There are several outstanding debts the estate is liable for. These include an EPA fine,  
4 delinquent federal taxes, and a fisheries loan from the State of Alaska.<sup>4</sup> Although the estate’s  
5 assessed value far exceeds its debts, the motel is the only cash generating, liquid asset the estate  
6 currently has access to in order to make regular payments on the aforementioned debts.<sup>5</sup>

7 On August 12, 2013, Mr. Lapeyri filed a Motion for Distribution of Assets Designated  
8 Solely to Jon Lapeyri, seeking a distribution of the property and items the decedent specifically  
9 devised or bequeathed to Mr. Lapeyri in his will, listed above. Mr. Beck opposes the motion. On  
10 August 30, 2013, Mr. Beck filed an Opposition to Motion for Interim and Premature Distribution  
11 of Assets and an accompanying affidavit. Mr. Lapeyri filed a Reply to Opposition to Motion for  
12 distribution of Assets Designated Solely to Mr. Lapeyri on September 16, 2013.

13 An evidentiary hearing was held on November 5, 2013. The parties thereafter submitted  
14 written final arguments: Mr. Lapeyri submitted his on November 12, 2013; Mr. Beck submitted  
15 his on November 13, 2013.

#### 17 DISCUSSION

18 Alaska has adopted the Uniform Probate Code. Alaska’s Probate Code contains a few  
19 sections directing a personal representative to act in the best interests of the estate as a whole.  
20 For example, AS 13.16.350, the section outlining a personal representative’s general duties and  
21 standard of care, states that a personal representative “is under a duty to settle and distribute the  
22 estate of the decedent in accordance with the terms of any probated and effective will and ... as  
23

24 <sup>4</sup> See Aff. of Personal Representative at 2 for a table summarizing the estate’s major debts now owing or soon  
25 maturing.

<sup>5</sup> *Id.*

1 expeditiously and efficiently as is consistent with the best interests of the estate.” In addition, AS  
 2 13.16.410 gives a personal representative the authority, “except as restricted or otherwise  
 3 provided by the will” to “retain assets owned by the decedent pending distribution or  
 4 liquidation...”

5 AS 13.16.380, which Mr. Beck heavily relies on, states, in relevant part:

6 Except as otherwise provided by a decedent’s will, every personal representative has a  
 7 right to, and shall take possession or control of, the decedent’s property, except that any  
 8 real property or tangible personal property may be left with or surrendered to the  
 9 person presumptively entitled to it unless or until, in the judgment of the personal  
 representative, possession of the property by the personal representative will be  
 necessary for purposes of administration.

10 AS 13.12.606 provides some guidance with regard to the treatment of specific devisees.

11 The section concerns the ademption of specific devisees. In part, AS 13.12.606 states: “[a]  
 12 specific devisee has a right to the specifically devised property in the testator’s estate at death...”

13 The section goes on to discuss other matters related to ademption. There are no reported Alaska  
 14 cases construing or referencing this provision.<sup>6</sup>

15 Mr. Lapeyri argues that he should receive an immediate distribution of his specific  
 16 devisees. Mr. Lapeyri rests this argument on a construction of the will’s language. Mr. Lapeyri  
 17 argues that the paragraph of the decedent’s will directing that his debts and expenses be settled  
 18 prior to distribution of assets only singles out the general devise to all of the decedent’s children,  
 19 and notably does not refer to Mr. Lapeyri’s devisees and bequests, which are contained in a  
 20 separate paragraph from the general devise. Thus, Mr. Lapeyri argues that the decedent’s will  
 21 “contemplated the distribution of Mr. Lapeyri’s sole assets prior to other assets that are shared  
 22  
 23  
 24

25 <sup>6</sup> AS 13.12.606 is modeled on UPC § 2-606. There are a few cases that discuss the UPC provision, however nearly  
 all of them concern how to handle a specific devise’s gift when it has been adeemed.

1 with his siblings, without regard to debt.”<sup>7</sup> Mr. Lapeyri also cites a Washington case that holds,  
2 in construing a Washington probate statute, that “real property and the right to receive income  
3 therefrom vest in the devisee as of the date of the death of the decedent.”<sup>8</sup>

4 Mr. Beck, the personal representative for the decedent’s estate opposes Mr. Lapeyri’s  
5 motion. Mr. Beck argues, essentially, that because the estate is “land rich” but “cash poor,” he, as  
6 personal representative, should be able to use the cash income the motel generates to pay the  
7 debts currently owed by the estate. Without access to that liquid asset, Mr. Beck argues, “the  
8 estate would collapse under the weight of the debt.”<sup>9</sup> Mr. Beck argues that as personal  
9 representative, he has the broad discretion to manage the assets of the estate for the greater good  
10 of all of the devisees, not just one devisee.<sup>10</sup> Mr. Beck also relies on AS 13.16.380, which gives a  
11 personal representative discretion to retain possession of certain assets needed for purposes of  
12 administering the estate, to support his argument that his actions are proper. Mr. Beck asserts that  
13 once the real property of the estate is sold, and the estate can pay its debts, the motel will be  
14 conveyed to Mr. Lapeyri, along with any accumulated income.  
15

16 Mr. Beck also argues that he should be permitted to utilize the cash flow from the motel  
17 to pay the estate’s debts because some of the debts are attributable to the motel. Specifically, Mr.  
18 Beck argues that the federal tax liability is a result of the motel. As previously stated, the motel is  
19 owned and operated by Captain’s Choice, Inc., of which the decedent was the sole shareholder.  
20 Captain’s Choice, Inc. is classified as a Subchapter S corporation, and thus its income passed  
21 through to its sole shareholder, the decedent. The federal taxes that are currently past due are a  
22 result of the decedent’s income from the motel, by way of Captain’s Choice, Inc. Therefore, Mr.  
23

24 <sup>7</sup> Mot. for Distribution of Assets Designated Solely to Mr. Lapeyri at 2.

<sup>8</sup> *In re Henderson’s Estate*, 281 P.2d 857, 859 (1955). This case construes a Washington statute dealing with when  
real estate vests in heirs.<sup>8</sup> There is no equivalent Alaska statute dealing with that issue.

<sup>9</sup> Opp to Mot. for Interim and Premature Distribution of Assets at 5.

<sup>10</sup> Citing AS 13.16 – the chapter of Alaska’s Probate Code concerning personal representatives’ rights and duties.

**ORDER RE: JON LAPEYRI’S MOTION FOR DISTRIBUTION OF ASSETS**

**ITMO: Lloyd Edward Lapeyri, 1PE-12-8 PR**

1 Beck argues that the motel created the tax obligations, and thus should be available and used to  
2 satisfy the debt. Mr. Beck also points out that the motel was used as collateral for the State of  
3 Alaska fisheries loan, a loan that the estate must make periodic payments on to avoid going into  
4 default, and therefore the motel's cash should also be available to meet those payment  
5 obligations. Finally, Mr. Beck makes a general argument based on the equities at play in the  
6 situation.<sup>11</sup>

7 In his Reply to Opposition to Motion for Distribution of Assets Designated Solely to Jon  
8 Lapeyri, Mr. Lapeyri again argues that as the sole beneficiary of Captain's Choice, Inc. and the  
9 motel, he is entitled to any income and profits of those assets as of the date of his father's death.  
10 Mr. Lapeyri expresses concern that because the motel is seasonal, utilizing the motel's revenue  
11 to pay the estate's debts may place the motel in a poor financial state and unable to sustain itself  
12 during the off season.

13 In addition, Mr. Lapeyri points out that AS 13.16.380, the statute Mr. Beck cites as  
14 giving him the authority to take possession of the estate's assets for purposes of administration,  
15 states that a personal representative may do so, *unless the will provides otherwise*. The  
16 decedent's will, Mr. Lapeyri argues, provides that the debts of the estate are to be paid from the  
17 property designated in the general devise clause, and not his specific devises. Accordingly, Mr.  
18 Lapeyri argues that AS 13.16.380 is inapplicable and it would be improper to deny him  
19 immediate possession of the motel and other property specifically left to him through the  
20 decedent's will.  
21  
22  
23

24 <sup>11</sup> Mr. Beck argues, through later filed affidavits, makes an argument that, based on the equities of the situation, Mr.  
25 Lapeyri should not have immediate possession of the motel. Specifically, two of the decedent's daughters have filed  
affidavits describing Mr. Lapeyri's alleged erratic behavior and harmful practices at the motel, including running up  
charges on motel accounts for personal items, among other things. *See* Aff. of Daughter, Lori A. Lapeyri-Smith; Aff.  
of Daughter, Tamara Lapeyri Cook.

1 Finally, Mr. Lapeyri points out that the estate is not left without any options. Mr. Lapeyri  
2 argues that the estate should sell some of the other real estate owned by the estate to generate the  
3 cash to pay the debts. Mr. Lapeyri notes that it has been over a year since his father's death and  
4 none of the other real property assets have been listed for sale.<sup>12</sup>

5 Both parties also filed final arguments on Mr. Beck's motion following an evidentiary  
6 hearing that was held on November 5, 2013. Both parties again reasserted the arguments outlined  
7 above. Mr. Lapeyri argues that the terms of the will, which Mr. Beck as personal representative  
8 must follow, dictate that he has a right to possession of the motel and that the motel's revenue  
9 should not be used to pay for other estate debts.<sup>13</sup> Mr. Beck acknowledges that Mr. Lapeyri is  
10 entitled to his specific bequests, but argues that the decedent's will empowered Mr. Beck to  
11 handle the estate as he sees prudent. Mr. Beck contends that his handling of the estate is "sound,  
12 rational, and responsible" and points out that the decedent "can and will be made whole" when  
13 he receives his specific bequests once administration is complete.  
14

15 The court finds that Mr. Beck's authority to manage the estate for purposes of  
16 administration trumps Mr. Lapeyri's claim of right to immediate possession of the Captain's  
17 Choice.

18 The court recognizes that there is conflicting guidance on this issue, both in Alaska's  
19 Probate Code and in the will itself. For example, AS 13.12.606 states that a specific devisee has  
20 a right to their devise at the testator's death. But, AS 13.16.380 sets forth the very broad  
21 authority that personal representatives have in retaining the estate's property for purposes of  
22 administration. Furthermore, AS 13.12.606 is, as a whole, more concerned with the ademption of  
23

24 <sup>12</sup> Since the filing of Mr. Lapeyri's Reply, one of the estate's properties has been listed for sale.

25 <sup>13</sup> Mr. Lapeyri cites AS 13.16.350, which states, "[a] personal representative is under a duty to settle and distribute the estate of the decedent in accordance with the terms of any probated and effective will."

1 specific devises and does not deal with a specific devisee's right of possession. The provision  
2 also merely states that the specific devisee has a *right* to the specifically devised property, but  
3 not that the specific devisee must have immediate possession of that property following a  
4 testator's death. In fact, a right to immediate possession seems inconsistent with estate  
5 management as a whole, considering the various administrative tasks a personal representative  
6 must go through before he or she can begin distributing the decedent's property.

7 The decedent's will also does not provide a clear answer on this issue. On the one hand,  
8 the will provides very clearly for a specific devise of the Captain's Choice to Mr. Lapeyri and  
9 that estate expenses should be paid prior to general bequests, but states nothing about utilizing  
10 specific bequests for that purpose. On the other hand, the will empowers Mr. Beck, as personal  
11 representative, with very broad powers over the estate. The will does not restrict Mr. Beck's  
12 authority in any way beyond the restrictions found in Alaska's Probate Code.

13 This court finds that Mr. Beck's authority as a personal representative here trumps Mr.  
14 Lapeyri's claim of an immediate right of possession of his specifically devised property.  
15 Although there is no clear guidance on Mr. Lapeyri's rights, either in the will or in Alaska's  
16 Probate Code, both the will and the Code are consistent in their provisions concerning a personal  
17 representative's authority.<sup>14</sup> Both the will and the Alaska Probate Code give Mr. Beck extensive  
18 authority to manage the decedent's estate as Mr. Beck sees fit and as will best serve the estate for  
19 purposes of administration. At the evidentiary hearing held on November 5, 2013 on this matter,  
20

21 Mr. Beck testified as to the reasoning behind his current management of the estate. Mr.  
22 Beck presented credible evidence that retaining the Captain's Choice for the moment is the best  
23

24 <sup>14</sup> The court acknowledges that AS 12.16.380 provides that the personal representative may manage the property in  
25 the way he or she sees fit "except as otherwise provided" by the will. However, the court finds that the decedent's  
will does not expressly provide that Mr. Lapeyri has an immediate right to possession and thus AS 12.16.380  
remains very useful in guiding the court's decision.

**ORDER RE: JON LAPEYRI'S MOTION FOR DISTRIBUTION OF ASSETS**

**ITMO: Lloyd Edward Lapeyri, 1PE-12-8 PR**

1 way to provide for a stable and effective management of the estate. In his opposition to this  
 2 motion, Mr. Beck contends that releasing the Captain's Choice at this point in time would  
 3 jeopardize the health of the entire estate. In addition, other interested parties have presented  
 4 evidence that Mr. Beck worked closely with the decedent and is in the best position to fulfill the  
 5 decedent's wishes and intent expressed in the will.<sup>15</sup>

6 Given the testimony of Mr. Beck and the broad grant of power to him as personal  
 7 representative in the will, coupled with the likewise expansive discretionary authority Alaska's  
 8 Probate Code provides to personal representatives, the court agrees with Mr. Beck that giving  
 9 Mr. Lapeyri immediate possession of the Captain's Choice at this time would be detrimental to  
 10 the estate as a whole. Further, because such a finding is within the purview of Mr. Beck's  
 11 authority as a personal representative, the court denies Mr. Lapeyri's Motion for Distribution of  
 12 Assets. This is in no way meant to infringe on Mr. Lapeyri's right to the property, for the court  
 13 recognizes that the decedent did intend for Mr. Lapeyri to have the Captain's Choice. This  
 14 opinion merely provides that Mr. Lapeyri is not entitled to immediate possession of the hotel.  
 15 Once the administration of the estate is complete, or at a time prior to the completion where Mr.  
 16 Beck, in his discretion as personal representative, believes that it is in the best interests of the  
 17 estate to release the motel to Mr. Lapeyri, Mr. Lapeyri will take possession and full ownership of  
 18 the Captain's choice as contemplated by his father's will.

19  
 20 **CONCLUSION**

21 Mr. Lapeyri's Motion for Distribution of Assets Designated Solely to Jon Lapeyri is  
 22 denied. Alaska's Probate Code does not provide Mr. Lapeyri with a right to immediate  
 23

24  
 25 <sup>15</sup> See Aff. of Devisee (Lori A. Lapeyri-Smith, Daughter of Lloyd E. Lapeyri); Aff. of Tamara Lapeyri Cook. An underlying purpose and policy goal of the Probate Code is to "discover and make effective the intent of a decedent in distribution of decedent's property." AS 13.06.010(b)(1).

**ORDER RE: JON LAPEYRI'S MOTION FOR DISTRIBUTION OF ASSETS**

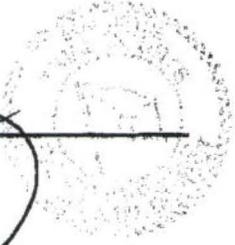
ITMO: Lloyd Edward Lapeyri, 1PE-12-8 PR

1 possession of his specific devise, the Captain's Choice motel. Mr. Beck is within the authority  
2 granted to him as personal representative of the estate to withhold distribution of that devise  
3 pending final administration of the estate.

4 For the reasons stated above, Mr. Lapeyri's Motion for Distribution of Assets is  
5 **DENIED.**

6 **IT IS SO ORDERED.**

7 Dated at Ketchikan, Alaska this 10 day of February, 2014.

8   
9 \_\_\_\_\_  
10 William B. Carey  
11 Superior Court Judge  
12 

13  
14  
15  
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19  
20  
21 **CERTIFICATION**

22 The undersigned certifies that on the  
23 13 day of February, 2014,  
24 a true copy of the above was personally  
25 delivered or mailed/faxed to the following  
at their address/number of record. Forlorn-Fox  
J. Gibbons fax

BY [Signature]

**ORDER RE: JON LAPEYRI'S MOTION FOR DISTRIBUTION OF ASSETS**

ITMO: Lloyd Edward Lapeyri, 1PE-12-8 PR

Tab

**24**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: The Place Bar & Motel License  
#897

This is a request for extension of time to transfer license under AS 04.11.030(c) due to death of a licensee.

Date of death: January 11, 2015

Date requested: Initial request January 27, 2015; request renewed June 15, 2015

Request made by  
executor or administrator? Yes

License being operated? Yes, by executor/administrator

First request? No, second request. First request granted February 11, 2015 for a six month time period.

Recommendation: Review the timelines outlined by executor/administrator and discuss proposed February 2016 extension request.

Action on request: Set deadline for transfer of ownership.

## Sawyer, Jane Preston (CED)

---

**From:** cole young <cby\_ram@yahoo.com>  
**Sent:** Monday, June 15, 2015 6:00 PM  
**To:** Sawyer, Jane Preston (CED)  
**Subject:** License #897 The Place Bar & Motel

Cole Young  
P.O. box 723  
Soldotna, Ak 99669

Monday, June 15, 2015

### License #897 The Place Bar & Motel

To Whom it may concern:

On January 27, I sent a letter requesting an extension of time to submit the transfer of the Liquor License at The Place Bar & Motel. Our father John Young was the owner of The Place Bar & Motel. He passed away on January 10, 2015. Leaving my brother Jason Young and myself as the Co-Executors of his Estate. Our attorney, Dale Dolifka advised it would take a minimum of six months to complete informal probate.

We are approaching the six month mark and our attorney still has some things he is working on.

**We are requesting an extension until February of 2016.** We hope to have informal probate completed well before this time. We have the transfer paperwork and will have the packet completed and ready to file immediately upon settling our Father's estate.

Insurance policies have been renewed and are in place. We Both have our TAPS cards as does all of our employees. All proper signage has been reviewed and is posted. We want to stay in compliance and need probate closed so that the land and the business is in our name to be able to complete the license transfer properly.

Thank you for your consideration and patience through this time

Cole Young  
[cby\\_ram@yahoo.com](mailto:cby_ram@yahoo.com)  
907-252-7145

● **PUBLIC TESTIMONY**

11:29:48 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

12:00:55 PM

TAB 3

Ellen Ganley **motions to approve.**

Bobby Evans **seconds the motion.**

**Motion carries.**

Approved 5-0

- B. **5146 Eagle Hotel Restaurant & Lounge:** Eagle Hotel, LLC  
918 S Colony Way; Palmer  
**License: Beverage Dispensary – Tourism**

12:04:33 PM

TAB 4

**No Response to NOV**

**No Action (Licensee will submit written response to Viking Drive).**

- B. **484 Gwin's Lodge / Gwin's Roadhouse:** Gwin's Resorts, LLC  
14865 Sterling Highway; Kenai Peninsula Borough  
**License: Beverage Dispensary**  
From: Gwin's Lodge, Inc. DBA Gwin's Lodge; No Premises

12:24:54 PM

TAB 5

**Consideration of License Transfer**

Marvin Yoder **motions to approve with delegation.**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

- C. **897 The Place Bar & Motel:** John R. Young  
53791 Sparrow Lane; Kenai Peninsula Borough  
**License: Beverage Dispensary – Tourism**

12:27:56 PM

TAB 6

**Extension Request for License Transfer**

Marvin Yoder **motions to grant six-month extension.**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

*puts them at 8/11*

**LAST  
WILL  
AND TESTAMENT  
OF  
JOHN RODNEY YOUNG**

I, JOHN RODNEY YOUNG, with domicile in Kenai, Alaska, being over the age of eighteen (18) years and of sound mind and disposing memory and not acting by reason of any fraud, duress, menace or undue influence whatsoever, do hereby make, publish and declare this instrument to be my Last Will and Testament, hereby revoking any and all Wills or Codicils heretofore made by me.

Initials: CY            

Date: 9/12/14

## ARTICLE I

I declare that I am a single man. I have two (2) living children, namely: JASON JOHN YOUNG, born May 26, 1973; and COLE BRANDON YOUNG, born May 8, 1981.

## ARTICLE II

I direct that my legal debts, including the expenses of my last illness, not covered by insurance or barred by a statute of limitations or otherwise defensible in a court of law or equity, be paid by my Personal Representative as soon after my death as practicable and lawful as part of the expenses of administering my estate. However, I do not intend by this provision to require payment of any long-term liabilities payable in installments (similar to, but not limited to, any liabilities secured by mortgages or deeds of trust on real property).

## ARTICLE III

I direct that my Personal Representative expend from my estate such sums as in its sole and absolute discretion are necessary and proper for my funeral and cremation. It is my will, and I so direct, that my body be placed in a location deemed proper by my Personal Representative or alternate Personal Representative.

## ARTICLE IV

I direct that all succession, legacy, inheritance, death, transfer or estate taxes, including any interest and penalties thereon, imposed by any law upon property passing under this, my Last Will and Testament or otherwise, testamentary or nontestamentary, be paid by my Personal Representative in accordance with the Equitable Apportionment Act of the Alaska Statutes, A. S. 13.16.610, as amended from time to time.

## ARTICLE V

I give, devise and bequeath my estate, being all property, real, personal and mixed, of every kind and nature whatsoever, wherever situated, which I own or with regard to which I have any interest or power of appointment, as follows:

A. TWENTY THOUSAND DOLLARS (\$20,000.00) to my friend ROBERT VOSS.

I further direct that in the event ROBERT VOSS has predeceased me then the bequest herein bequeathed to him shall lapse and become part of my residuary estate.

B. I give, devise and bequeath my residuary estate, being all of the rest, residue and remainder of all property, real, personal and mixed, of every kind and nature whatsoever, wherever situated; which I own or with regard to which I have any interest or power of appointment, as follows:

1. ONE-HALF (1/2) shall be distributed to my son JASON JOHN YOUNG.

I further direct that in the event JASON JOHN YOUNG should predecease me then the bequest herein bequeathed to him shall be distributed to the issue of JASON JOHN YOUNG, per stirpes, or if he has no issue then to my surviving child COLE BRANDON YOUNG.

2. ONE-HALF (1/2) shall be distributed to my son COLE BRANDON YOUNG.

I further direct that in the event COLE BRANDON YOUNG should predecease me then the bequest herein bequeathed to him shall be distributed to the issue of COLE BRANDON YOUNG, per stirpes, or if he has no issue then to my surviving child JASON JOHN YOUNG.

ARTICLE VI

I hereby designate and appoint JASON JOHN YOUNG and COLE BRANDON YOUNG to be the Co-Personal Representatives of this, my Last Will and Testament, with full authority to carry out the terms and conditions of this Will without the interference of any other person, court, tribunal or official influence of any kind or nature, and further said Personal Representative shall serve without bond. In the event either Co-Personal Representative does not survive me, or is otherwise incapacitated from serving as Co-

CY

CP

X

9/12/14

Personal Representative, I then appoint the other as sole alternate Personal Representative, to serve under the same terms and conditions as my Personal Representative herein named.

ARTICLE VII

I authorize and empower my Personal Representative to administer my estate so far as may be permitted by law without the aid, intervention, supervision or control of any court or other tribunal. It is my intention that my Will be probated as informally as possible and with the least amount of intervention by the Court as possible, taking into consideration the size of my estate at the time of my death, and the legal requirements governing probate proceedings in force at the time of my death.

ARTICLE VIII

Should it be necessary for a representative of my estate to qualify in any jurisdiction outside of the State of Alaska wherein my domiciliary Personal Representative cannot or may not desire to qualify, then I nominate such person or corporation as may be designated by my domiciliary Personal Representative.

ARTICLE IX

It being my intention that any person referred to in this Will shall not be deprived of the possession or enjoyment of property to which such person would otherwise be entitled, each provision of this Will shall be effective only to the extent that it does not violate any rule against suspension of the power of alienation or perpetuities, or any other rule of law. If any provision of this Will shall be unenforceable or invalid, the remaining provisions shall nevertheless be carried into effect.

ARTICLE X

Words used in this Last Will and Testament which import one gender shall apply to any gender when appropriate, and any words which import the singular or plural shall be applied to the other when appropriate. Whenever in this Will I refer to children, the same shall be taken to include any child or children hereafter

born to or adopted by me.

ARTICLE XI

I have, except as otherwise and to such extent as set out in this Will, intentionally and with full knowledge, omitted to provide for my heirs who may be living at the time of my death, including any person or persons who may, after the date of this Will, become my heir or heirs.

ARTICLE XII

If any devisee, legatee, or beneficiary under this Will, or any person who would be entitled to share in my estate through intestate succession, shall in any manner whatsoever, either directly or indirectly, oppose, contest, or attack this Will or the distribution of my estate hereunder, or seek to impair, invalidate or set aside any provision of this Will, or shall aid in doing any of the above acts, then in that event, I hereby give to any such person or persons the sum of ONE DOLLAR (\$1.00) each in lieu of any other share or interest in my estate under this Will or through intestate succession.

ARTICLE XIII

If any part of this Will shall be invalid, illegal or inoperative, for any reason, it is my intention that the remaining parts, so far as possible and reasonable, shall be effective and fully operative. My Personal Representative may seek and obtain Court instructions for the purpose of carrying out as nearly as possible the intention of this Will, as shown by the terms hereof, including any term held invalid, illegal or inoperative.

In testimony whereof, I, JOHN RODNEY YOUNG, hereunder do subscribe and sign these presents at Soldotna, Alaska, in the presence of the witnesses whose names are affixed hereto as witnesses, and in the presence of said witnesses I have declared and published this instrument, consisting of four (4) preceding pages, this page and two following pages, as my Last Will and

CY CR Y

9/12/14

Testament on the 12 day of September, 2014.

John R. Young  
JOHN RODNEY YOUNG  
SS# 476-64-01315

On this 12th day of September, 2014, the above JOHN RODNEY YOUNG, of Kenai, Alaska, in our presence and in the presence of each other, signed this instrument, consisting of seven (7) pages, and declared the same to us to be his Last Will and Testament, and we, at his request and in the presence of each other, have subscribed our names and witnesses; and we further declare that at the time of signing this Last Will and Testament the said JOHN RODNEY YOUNG appeared to be of sound mind and memory, and not acting under duress, menace, fraud, or the undue influence of any person whomsoever.

Cole b. Young  
Witness

Cole b. Young  
Printed Name

AKDL 6879453  
Driver's License Number or  
Social Security Number

Residing at Soldotna, AK

R. Polifka  
Witness

R. Polifka  
Printed Name

52678-4166  
Driver's License Number or  
Social Security Number

Residing at Soldotna, AK

STATE OF ALASKA )  
 :ss  
THIRD JUDICIAL DISTRICT )

We, JOHN RODNEY YOUNG, Cole B Young, and Dale Deltka, the Testator and the witnesses, respectively whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his Last Will and that he had signed willingly or directed another to sign for him and that he executed it as his free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the Testator signed the Will as witness and that to the best of the undersigned authority's knowledge the Testator was at that time over 18 years of age, of sound mind and under no constraint or undue influence.

John R. Young  
JOHN RODNEY YOUNG

Cole Young  
Witness

Dale Deltka  
Witness

Subscribed, sworn to and acknowledged before me by JOHN RODNEY YOUNG, the Testator, and subscribed and sworn to before me by Cole B Young, and Dale Deltka, witnesses, this 12th day of September, 2014, at Soldotna, Alaska.

Broderick Deltka  
NOTARY PUBLIC in and for Alaska  
My Commission Expires: 3-30-2018





# PENINSULA MEMORIAL CHAPEL & CREMATORY

5839 KENAI SPUR HWY. - KENAI, ALASKA 99611

Date: January 12, 2015

**JEFF DOLIFKA**

For the use of: \_\_\_\_\_

Relationship to decedent: ATTORNEY

This letter is to serve as verification of death, in lieu of a Certificate of Death from the State of Alaska, which is as of yet unavailable, for the below named deceased. Any and all courtesies shown to this family will be greatly appreciated.

Deceased: JOHN RODNEY YOUNG

Date of Death: JAN. 11, 2015

Place of Death: Kenai, Alaska

Place of Services: Kenai, Alaska

The below signed is an authorized representative of Peninsula Memorial Chapels, which were responsible for the final disposition of the remains of the above name deceased.

By: \_\_\_\_\_

*Funeral Director*

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES - BUREAU OF VITAL STATISTICS
P.O. Box 110676, Juneau, AK 99811-0676
CERTIFICATE OF DEATH

DATE FILED

STATE FILE NO.

1. DECEDENT'S LEGAL NAME (include AKA's if any) (First, Middle, Last) JOHN RODNEY YOUNG
2. SEX Male
3. SOCIAL SECURITY NUMBER 478-64-0130
4a. AGE-Last Birthday (Years) 63
4b. UNDER 1 YEAR
4c. UNDER 1 DAY
5. DATE OF BIRTH (MM/DD/YY) 04/01/1951
6. BIRTHPLACE (City and State or Foreign Country) Owatonna, MINNESOTA
7a. RESIDENCE-STATE Alaska
7b. COUNTY Kenai Peninsula
7c. CITY OR TOWN Kenai
7d. STREET AND NUMBER 810 Peninsula Ave. Apt #18
7e. APT No.
7f. ZIP CODE 99611
7g. INSIDE CITY LIMITS? [X] Yes [ ] No
8. EVER IN US ARMED FORCES? [ ] Yes [X] No [ ] Unknown
9. MARITAL STATUS AT TIME OF DEATH [X] Divorced [ ] Married [ ] Married, but separated [ ] Never Married [ ] Widowed [ ] Unknown
10. SURVIVING SP. USE'S NAME (if wife, give name prior to first marriage)
11. FATHER'S NAME (First, Middle, Last) RODNEY YOUNG
12. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle Last) LORNA AASE
13a. INFORMANT'S NAME COLE YOUNG
13b. RELATIONSHIP TO DECEDENT Son
13c. Informant's Address (Street and Number, City, State, Zip Code) 3 Soldotna, Alaska 99669
14. DECEDENT'S EDUCATION-Check the box that best describes that best describes the highest degree or level of school completed at the time of death.
15. DECEDENT OF HISPANIC OR LATINO ORIGIN-Check the box that best describes whether the decedent is Spanish/Hispanic/Latino(a).
16. DECEDENT'S RACE (Check one or more races to indicate what the decedent considered himself or herself to be)
17. DECEDENT'S USUAL OCCUPATION (Indicate type of work done during last working week. DO NOT USE RETIRED) Business Owner
18. KIND OF BUSINESS OR INDUSTRY The Place Bar
19. PLACE OF DEATH (Check only one)
20. FACILITY NAME (if not institution, give street & number) 810 Peninsula Ave. Apt #18
21. CITY OR TOWN, STATE AND ZIP CODE Kenai, Alaska 99611
22. COUNTY OF DEATH Kenai Peninsula
23. METHOD OF DISPOSITION [ ] Burial [X] Cremation [ ] Donation
24. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) Peninsula Memorial Chapel
25. LOCATION - CITY, TOWN AND STATE Kenai AK
26. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY Peninsula Memorial Chapel 5839 Kenai Spur Highway Kenai, Alaska 99611
27. SIGNATURE OF FUNERAL SERVICE LICENSEE WISNIEWSKI, T. GRANT
28. LICENSE NUMBER (Of licensee) 339
29. DATE PRONOUNCED DEAD (MM/DD/YY) 03:06
30. TIME PRONOUNCED DEAD 03:06
31. SIGNATURE OF PERSON PRONOUNCING DEATH (Only when applicable)
32. LICENSE NUMBER
33. DATE SIGNED (MM/DD/YY)
34. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YY) January 11, 2010
35. ACTUAL OR PRESUMED TIME OF DEATH 03:06
36. WAS MEDICAL EXAMINER OR CORONER CONTACTED? [ ] Yes [X] No
37. PART I. Enter the chain of events - diseases, injuries, or complications-that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary.
38. WAS AN AUTOPSY PERFORMED? [ ] Yes [X] No
39. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? [ ] Yes [X] No
40. DID TOBACCO USE CONTRIBUTE TO DEATH? [ ] Yes [ ] Probably [ ] No [ ] Unknown
41. IF FEMALE
42. MANNER OF DEATH [X] Natural [ ] Homicide [ ] Accident [ ] Pending Investigation [ ] Suicide [ ] Could not be determined
43. DATE OF INJURY (MM/DD/YY)
44. TIME OF INJURY
45. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; wooded area)
46. INJURY AT WORK? [ ] Yes [X] No
47. LOCATION OF INJURY: (Street & Number, Apt. No., City or Town, State, Zipcode)
48. DESCRIBE HOW INJURY OCCURRED:
49. IF TRANSPORTATION INJURY, SPECIFY:
50a. CERTIFIER (Check only one)
50b. SIGNATURE OF CERTIFIER
51. NAME, ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH (Item 37)
52. LICENSE NUMBER
53. DATE CERTIFIED (MM/DD/YY)

To Be Completed/Verified By: FUNERAL DIRECTOR

To Be Completed By: MEDICAL CERTIFIER

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT KENAI

In the Matter of the Estate     )  
  )  
of                                        )  
  )  
JOHN RODNEY YOUNG,                 )  
  )  
Deceased.                             )  
  )

Case No. 3KN-15- 6 PR/E

STATEMENT OF INFORMAL APPOINTMENT  
OF CO-PERSONAL REPRESENTATIVES

The application of JASON JOHN YOUNG and COLE BRANDON YOUNG for the informal probate of the Will of JOHN RODNEY YOUNG and the appointment of Co-Personal Representatives having come before the Superior Court and it appearing that the application is complete and contains the applicant's oaths or affirmations and the statements contained therein are true to the best of JASON JOHN YOUNG and COLE BRANDON YOUNG'S knowledge and belief, the Superior Court makes the following findings based upon the application:

1. JOHN RODNEY YOUNG, died on the 11th day of January, 2015, and at least one hundred twenty (120) hours have elapsed since the decedent's death.

2. The applicants are an interested persons as defined by the laws of this state by reason of the fact that JASON JOHN YOUNG and COLE BRANDON YOUNG are the named Co-Personal

JAN 14 2015

Law Office  
DALE DOLIFKA  
P. O. Box 498  
Soldotna, Alaska 99669  
907 262 2910

STATEMENT OF INFORMAL APPT OF PR  
ESTATE OF JOHN RODNEY YOUNG  
Page 1 of 3

D

Representatives in the Last Will and Testament of **JOHN RODNEY YOUNG**.

3. Venue is proper because decedent was domiciled in the Third Judicial District, State of Alaska, at the time of death.

4. The original, duly executed and apparently unrevoked Will of the decedent is filed with the Superior Court at Kenai under Will No. 3KN-00-153 WI.

5. Notice of the application is not necessary by reason of the fact that applicants have not received a demand for notice and is not aware of a demand for notice of any probate or appointment proceeding filed in this state or elsewhere. Further, no one has a priority right to appointment.

6. The time limit has not expired for original probate.

7. A Personal Representative has not been appointed in this or any other Judicial District of the State of Alaska, and neither this Will nor any other Will of the decedent has been the subject of a previous probate order.

8. Applicants are entitled to be appointed Co-Personal Representatives of decedent because **JASON JOHN YOUNG** and **COLE BRANDON YOUNG** are named Co-Personal Representatives in decedent's Will.

9. Applicants are entitled to serve without bond because decedent's Will directs that **JASON JOHN YOUNG** and **COLE BRANDON YOUNG** shall serve without bond.

**THEREFORE, IT IS ORDERED that:**

1. That the application for informal probate is hereby granted and the Last Will and Testament of **JOHN RODNEY YOUNG**

dated the 12th day of September, 2014, is hereby admitted to informal probate.

2. The Application for Informal Appointment of Co-Personal Representatives is hereby granted and **JASON JOHN YOUNG and COLE BRANDON YOUNG** are hereby appointed as Co-Personal Representatives of the **ESTATE OF JOHN RODNEY YOUNG**, deceased, and further **JASON JOHN YOUNG and COLE BRANDON YOUNG** shall serve without bond.

3. Letters Testamentary shall be issued to **JASON JOHN YOUNG and COLE BRANDON YOUNG** upon their qualification and acceptance.

DATED this 15 day of January, 2015.

  
\_\_\_\_\_  
PROBATE MASTER/REGISTRAR

Law Office  
DALE DOLIFKA  
P. O. Box 498  
Soldotna, Alaska 99669  
907 262 2910

STATEMENT OF INFORMAL APPT OF PR  
ESTATE OF JOHN RODNEY YOUNG  
Page 3 of 3

I certify that a copy of the foregoing was

mailed to \_\_\_\_\_  
 place in court box to Dolifka & Co  
faxed to \_\_\_\_\_  
scanned to \_\_\_\_\_  
YF \_\_\_\_\_ 1-16-15  
Clerk Date

Tab

**25**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board  
FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015  
RE: Tundra Lodge & RV Park License  
#1176

This is a request for extension of time to transfer license under AS 04.11.030(c) due to death of a licensee.

Date of death: January 3, 2014

Date requested: Initial request February 25, 2015; request renewed June 15, 2015

Request made by executor or administrator? Yes

License being operated? Yes, by executor/administrator

First request? No, second request. First request granted April 29, 2015 until June 15, 2015.

Recommendation: Review the timelines outlined by executor/administrator and discuss proposed extension request.

Action on request: Set deadline for transfer of ownership if second request granted.

**From:** [Sawyer, Jane Preston \(CED\)](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** FW: Estate of Donald Abbott; License #1176  
**Date:** Wednesday, June 17, 2015 12:34:22 PM

---

Sarah, here is the response from Ms. Abbott's attorney regarding the transfer for license #1176

*Jane*

---

**From:** Zane Wilson [mailto:zane@alaskalaw.com]  
**Sent:** Wednesday, June 17, 2015 12:17 PM  
**To:** Sawyer, Jane Preston (CED)  
**Cc:** Niki L. Lightly; Tonya Hess  
**Subject:** RE: Estate of Donald Abbott; License #1176

Hello Jane:

Ms. Abbott did start on the transfer but what she did was done wrong and needs to be redone. We are working with Ms. Abbott on getting the process started correctly and it should be under way this week. Please keep in mind that Ms. Abbott is in Tok and we are in Fairbanks so everything takes a bit longer to happen given the distance between us. In addition, Ms. Abbott is elderly, has health issues and we need to bump her along to make things happen. Any consideration you can give will be appreciated.

Zane

---

**From:** Sawyer, Jane Preston (CED) [mailto:jane.sawyer@alaska.gov]  
**Sent:** Wednesday, June 17, 2015 10:12 AM  
**To:** Zane Wilson  
**Subject:** RE: Estate of Donald Abbott; License #1176

Good morning,

I forwarded the Letters Testamentary to the licensing supervisor, Sarah Oates, to be put on the agenda along with the extension request. I have one question... Has Ms. Abbott begun the transfer of the liquor license? we need this information not later than tomorrow morning to include it on the agenda so the Board can make a better determination on how much longer to give Ms. Abbott to submit the transfer.

Thank you

**Jane Sawyer**  
Business Registration Examiner  
Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Ave. Ste. 1600  
Anchorage, AK 99501  
Tel: 907-269-0359 Fax: 907-334-2285

---

# Cook Schuhmann & Groseclose, Inc.

Barbara L. Schuhmann  
Robert B. Groseclose  
Jo A. Kuchle  
Zane D. Wilson  
Craig B. Partyka  
Danielle M. Gardner

## Attorneys at Law

Telephone 907.452.1855 • Facsimile 907.452.8154 • Toll Free 800.550.1855  
714 Fourth Avenue, Suite 200 • Fairbanks, Alaska 99701-4470  
www.alaskalaw.com • csg@alaskalaw.com

June 5, 2015

Sender's E-mail:  
[zane@alaskalaw.com](mailto:zane@alaskalaw.com)

### **CERTIFIED/RETURN** **RECEIPT REQUESTED**

Alcoholic Beverage Control Board  
The Atwood Building  
550 West 7th Ave., Suite 1600  
Anchorage, AK 99501

Attn: Licensing Requests

Re: Estate of Donald Eugene Abbott  
Our Client: Barbara Abbott  
**Request for Extension to File Transfer Request**  
Type of License: Seasonal Beverage Dispensary  
License Owners: Donald and Barbara Abbott  
License #: 1176  
Our File: (new)

Dear Sir or Madam:

Our office represents, Barbara Abbott, who will be soon applying to be Personal Representative of her husband, Donald Abbott's estate. Mr. Abbott, passed away on January 3, 2014. Enclosed for your review is a copy of our Entry of Appearance in the matter that will be filed, when we receive the signed probate documents back from Ms. Abbott.

The Abbotts, own Tundra Lodge & R/V Park in Tok, Alaska. The Abbotts are joint owners of the business and the seasonal Beverage Dispensary license described above. Ms. Abbott is the sole beneficiary of Mr. Abbott's estate, per his will, which was executed on April 15, 2003, and will be the subject of his probate. Ms. Abbott intends to apply to be the new owner of the above license, but has not yet completed the documents necessary to request the transfer.

Ms. Abbott previously requested an extension from the ABC Board to get the liquor license transfer documents completed and submitted. The Board granted her an extension, which gave her until June 15, 2015 to get the proper documents submitted for review.

We were just retained by Ms. Abbott to assist with Mr. Abbott's estate. The June 15, 2015 deadline is quickly approaching, and there is no way we will be able to get the necessary documents completed to request transfer of the license. A review of the publication requirements indicates that Ms. Abbott must advertise in the newspaper once per week, for three consecutive weeks before she submits the other transfer documentation. We will not be able to get the publication completed by the June 15, 2015 deadline.

Therefore, please provide Ms. Abbott and the estate with a 90 day extension to complete the transfer application processes.

Upon receipt of this request, please advise if our extension request has been granted, and if it has, please advise if there are any deadlines we are required to comply with upon issuance of the extension.

Thanks you for your assistance with this matter. If you have any questions, please feel free to contact my Paralegal, Tonya Hess, or myself.

Sincerely,

COOK SCHUHMAN & GROSECLOSE, Inc.

By: \_\_\_\_\_

Zane D. Wilson

ZDW/th

Enclosures: Entry of Appearance

cc: Barbara Abbott

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT

In the Matter of the Estate )  
 )  
 Of )  
 )  
 DONALD EUGENE ABBOTT, )  
 Deceased. )  
 )

Case No. 4FA-15-\_\_\_\_\_ PR/E

**ENTRY OF APPEARANCE**

Zane D. Wilson, of the law firm of Cook Schuhmann & Groseclose, Inc., 714 Fourth Avenue, Suite 200, Fairbanks, Alaska, 99701, enters her appearance herein as counsel for the Personal Representative, Barbara A. Abbott, in the above-entitled matter and requests that copies of all pleadings in this action be served upon him.

DATED this 5 day of June 2015.

COOK SCHUHMAN & GROSECLOSE, INC.  
Attorneys for Barbara A. Abbott

BY: \_\_\_\_\_

Zane D. Wilson, #9111108

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

(907) 452-1855  
FACSIMILE  
(907) 452-8154

**From:** Tonya Hess [<mailto:tonyah@alaskalaw.com>]  
**Sent:** Tuesday, June 16, 2015 3:49 PM  
**To:** Sawyer, Jane Preston (CED)  
**Cc:** Zane Wilson; Niki L. Lightly; Barbara  
**Subject:** RE: Estate of Donald Abbott; License #1176

Ms. Sawyer:

Ms. Abbott has been appointed by the Fairbanks Superior Court to administer her husband's estate. Attached is a copy of her Letters Testamentary for your review and consideration as well as the Boards when determining if our request for extension will be granted to transfer the liquor license to Ms. Abbott as the sole owner of the business.

Thanks, and if you have questions, please feel free to contact Attorney Zane Wilson.

***Tonya Hess, Paralegal  
Cook Schuhmann & Groseclose, Inc.***

This electronic message transmission contains information belonging to Cook Schuhmann & Groseclose, Inc., that is solely for the recipient named above and which may be confidential or privileged. CS&G EXPRESSLY RESERVES & ASSERTS ALL PRIVILEGES AND IMMUNITIES APPLICABLE TO THIS TRANSMISSION. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this communication is STRICTLY PROHIBITED. If you have received this electronic transmission in error, please notify us by telephone (907-452-1855) or e-mail ([tonyah@alaskalaw.com](mailto:tonyah@alaskalaw.com)) immediately. Thank you.

---

**From:** Niki L. Lightly  
**Sent:** Friday, June 05, 2015 2:59 PM  
**To:** Zane Wilson; Tonya Hess  
**Subject:** FW: Estate of Donald Abbott; License #1176  
**Importance:** High

---

**From:** Sawyer, Jane Preston (CED) [<mailto:jane.sawyer@alaska.gov>]  
**Sent:** Friday, June 05, 2015 2:58 PM  
**To:** Niki L. Lightly  
**Subject:** RE: Estate of Donald Abbott; License #1176  
**Importance:** High

Thank you I will forward it to the licensing supervisor to be put on the agenda on July 1<sup>st</sup>.

*Jane*

---

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT

In the Matter of the Estate )  
 )  
Of )  
 )  
DONALD EUGENE ABBOTT, )  
Deceased. )  
 )

Case No. 4FA-15-345 PR/E

LETTERS TESTAMENTARY

The Will of Donald Eugene Abbott having been admitted to probate, Barbara A. Abbott is hereby appointed Personal Representative of the Estate.

DATED THIS 15 day of June 2015.

  
\_\_\_\_\_  
Registrar  
Alicemary L. Rasley  
Standing Master

LODGED  
JUN 08 2015



STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT

I, the undersigned, certify that this is a true and full copy of an original document to be filed in the Trial Courts, Fourth Judicial District, State of Alaska.

Witness my hand and the seal of the court this 15 day of June, 2015 at Fairbanks, Alaska.  
By R. Meier Deputy  
Clerk of the Trial Courts

I certify that on 6/15  
copies of this form were sent to:  
CLERK: Wilson 

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

(907) 452-1855  
FACSIMILE  
(907) 452-8154



8. Decedent left a valid, unrevoked will dated April 15, 2003. The original of this will was been filed with Barbara A. Abbott's application to appointed as the Personal Representative of the estate.

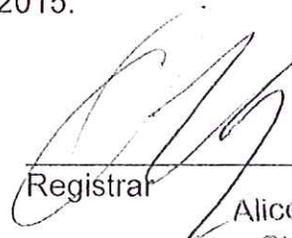
9. The person whose appointment is sought has priority for appointment as Personal Representative.

10. No bond is required because the estate is testate, and the will expressly waives the surety bond as to the person qualifying as Personal Representative (A.S. 13.16.255(1)).

11. Any notice required by the laws of this state has been given.

Therefore, it is ordered that the will is admitted to informal probate. It is also ordered that Barbara A. Abbott be appointed as Personal Representative of decedent's estate. Letters Testamentary will be issued upon qualification.

DATED this 15 day of June 2015.

  
\_\_\_\_\_  
Registrar Alicemary L. Rasley  
Standing Master

I certify that on 6/15/15  
copies of this form were sent to:  
Wilson   
CLERK: \_\_\_\_\_

STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT



I, the undersigned, certify that this is a true and full copy of an original document on file in the Trial Courts, Fourth Judicial District, State of Alaska.

Witness my hand and the seal of the court this 15  
of June, 20 15 at Fairbanks, Alaska.  
R. Meier By BP  
Clerk of the Trial Courts Deputy

Statement of Informal Probate of Will and  
Appointment of a Personal Representative  
Estate of Donald Eugene Abbott  
Page 2 of 2

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

(907) 452-1855  
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(907) 452-8154

Tab

**26**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Yukon Inn License #1804

This is a request for extension of time to transfer license under AS 04.11.030(c) due to death of a licensee.

Date of death: April 27, 2015

Date requested: June 2, 2015

Request made by  
executor or administrator? Yes

License being operated? Yes, by executor/administrator

First request? Yes

Recommendation: Review the timelines outlined by executor/administrator and discuss proposed extension request.

Action on request: Grant extension and set deadline for transfer of ownership.

# Cook Schuhmann & Groseclose, Inc.

## Attorneys at Law

Barbara L. Schuhmann  
Robert B. Groseclose  
Jo A. Kuchle  
Zane D. Wilson  
Craig B. Partyka  
Danielle M. Gardner

Telephone 907.452.1855 • Facsimile 907.452.8154 • Toll Free 800.550.1855  
714 Fourth Avenue, Suite 200 • Fairbanks, Alaska 99701-4470  
www.alaskalaw.com • csg@alaskalaw.com

June 2, 2015

Sender's E-mail:  
[dangielleq@alaskalaw.com](mailto:dangielleq@alaskalaw.com)

### CERTIFIED/RETURN RECPT REQ'D

Alcoholic Beverage Control Board  
The Atwood Building  
550 West 7th Ave., Suite 1600  
Anchorage, AK 99501

Attn: Licensing Requests

Re: Estate of Marlene R. Marshall  
Our Client: Josephine Malemute  
**Request for Extension of Liquor License**  
Type of License: Beverage Dispensary  
License Owner: Marlene Marshall  
License #: 1804  
Our File: 6166.01

Dear Sir or Madam:

Our office represents, Josephine Malemute, the appointed Personal Representative of the estate of Marlene Marshall. Ms. Marshall passed away in April 27, 2015. Attached is a copy of her proof of death from Legacy Funeral Homes, along with Ms. Malemute's Letters Testamentary issued by the Superior Court in Fairbanks, Alaska. I am also enclosing for your review and consideration a copy of our Entry of Appearance in the probate matter.

Ms. Marshall, at the time of her death, owned the Yukon Inn, located on Riverside Drive, in Galena, Alaska. She was the sole owner of the business and the Beverage Dispensary license described above. I have enclosed a copy of the license for your quick reference.

Ms. Marshall executed a will and that will is the subject of her probate. Ms. Marshall's will sets forth that her sons are to receive the Yukon Inn upon her death. Due to their age, the Yukon Inn would be owned by a trust. The issue in this estate is that Ms.

ABC Board  
Estate of Marlene Marshall  
RE: Request for Extension/Liquor License Transfer  
June 2, 2015  
Page 2

Marshall leaves behind a surviving spouse, Victor M. Marshall. Ms. Marshall in her will does not leave anything to Mr. Marshall.

Pursuant to Alaska Statutes, Mr. Marshall as the surviving spouse has the right to elect to take an Elective Share, which is basically taking against the will. Alaska Law gives Mr. Marshall until January 27, 2016, to make that surviving spouse election. If he does elect to take the elective share, there will be much work involved in determine the amount he receives and what assets he gets from the Estate. Therefore, is unclear at this time if he will do so, and who will become the owners of the Yukon Inn. It is highly unlikely that we will know before the end of the year.

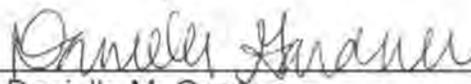
Therefore, please accept this request as the Estate's Petition to the ABC Board to extend the time to submit the transfer of the license. I am uncertain how long it may take to determine who will become the owners of the Inn so the request for license transfer can be submitted, but herein request, at this time an extension until April 1, 2016 to submit the transfer request documents to the Board for review, or submit an updated extension request on behalf of the estate. That will give us time, after the elective share period expires to make arrangements to transfer the license. If the Yukon Inn is not allowed to continue, it will severely impact the value of this estate.

Upon receipt of this request, please advise if the transfer extension request has been granted and please advise of any deadlines we are required to comply with upon issuance of the extension. If you need additional information or documents, please contact me.

Thank you for your assistance with this matter. If you have any questions, please feel free to contact my Paralegal, Tonya Hess, or me.

Sincerely,

COOK SCHUHMANN & GROSECLOSE, Inc.

By:   
Danielle M. Gardner

DMG/th/ilh  
Enclosures: Proof of Death  
Letters Testamentary  
Entry of Appearance  
Liquor License

cc: Josephine Malemute

**LEGACY**  
**FUNERAL HOMES**  
**CREMATION SERVICES**

VERIFICATION LETTER OF SERVICES

To whom it may concern:

This letter comes to you to verify the passing of **Marlene R. Marshall**, who passed away in Fairbanks, Alaska on April 27, 2015. The certified copy of the death certificate can take up to 30 days or longer for completion.

Your cooperation and assistance to his family would be greatly appreciated in this time of need until the certified copies arrive.

If you have any questions or need further assistance, please contact our office at (907) 456-5566.

Thank you,



Richard O. Worland III  
Chapel of Chimes Funeral Directors  
415 Illinois St.  
Fairbanks, AK 99701  
(907) 452-7142 fax  
rick@legacyalaska.com

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

In the Matter of the Estate )  
 )  
 Of )  
 )  
 MARLENE R. MARSHALL, )  
 Deceased. )

Case No. 4FA-15-297 PR/E

LETTERS TESTAMENTARY

The Will of Marlene R. Marshall having been admitted to probate, Josephine L. Malemute is hereby appointed Personal Representative of the Estate.

DATED THIS 13<sup>th</sup> day of May 2015.

  
\_\_\_\_\_  
Registrar

Nikole V. Schick  
Standing Master



I certify that on 5-14-15 cert  
copies of this form were sent to:  
CLERK: JH Gardner-oc

STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT } ss.  
I, the undersigned, certify that this is a true and full copy of Letters Testamentary/  
Letters of Administration issued in the Superior Court, Fourth Judicial District, State of  
Alaska and that the Personal Representative was appointed as such on the 13 day of  
May 2015 at Fairbanks, Alaska in an informal proceeding.  
Witness my hand and the seal of the court this 14 day of May 2015  
at Fairbanks, Alaska.  
By JH Gardner  
Probate Deputy Clerk

SUPERIOR COURT  
PROBATE ONLY

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

(907) 452-1855  
FACSIMILE  
(907) 452-8154

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT

In the Matter of the Estate            )  
  )  
  )  
  )  
  )  
MARLENE R. MARSHALL,                 )  
  )  
  )  
  )  
  )  
  )  
Case No. 4FA-15- 297 PR/E

**STATEMENT OF INFORMAL PROBATE OF WILL AND  
APPOINTMENT OF A PERSONAL REPRESENTATIVE**

The Registrar makes the following findings based upon the application of Josephine L. Malemute for informal probate of the last will of Marlene R. Marshall, and appointment of a Personal Representative:

1. The application appears to be complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of the applicant's knowledge and belief.
2. The applicant is an interested person.
3. Decedent died on April 27, 2015 and at least 120 hours have elapsed since decedent's death.
4. Decedent was domiciled in Galena, Alaska at the time of death.
5. Venue is proper because decedent was domiciled in this judicial district at the time of death.
6. The time for appointment of a Personal Representative has not expired.
7. A Personal Representative has not been appointed in this state or elsewhere.

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
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(907) 452-1855  
FACSIMILE  
(907) 452-8154

8. Decedent left a valid, unrevoked will dated April 16, 2015. The original of this will was filed with the court by Josephine Malemute with her application to be appointed as the Personal Representative of the estate, and the original of the will is now in the possession of the court.

9. The person whose appointment is sought has priority for appointment as Personal Representative.

10. No bond is required because the estate is testate, and the will expressly waives the surety bond as to the person qualifying as Personal Representative (A.S. 13.16.255(1)).

11. Any notice required by the laws of this state has been given.

Therefore, it is ordered that the will is admitted to informal probate. It is also ordered that Josephine L. Malemute be appointed as Personal Representative of decedent's estate. Letters Testamentary will be issued upon qualification.

DATED this 13<sup>th</sup> day of May 2015.

I certify that on 5.14.15  
copies of this form were sent to:  
CLERK: JH Gardner.c.c

  
Registrar

Nikole V. Schick  
Standing Master

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

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Statement of Informal Probate of Will and  
Appointment of a Personal Representative  
Estate of Marlene R. Marshall  
Page 2 of 2

FILE COPY

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

In the Matter of the Estate )  
 )  
 Of )  
 )  
 MARLENE R. MARSHALL, )  
 Deceased. )

MAY 11 2015  
By \_\_\_\_\_ Deputy

Case No. 4FA-15-297 PR/E

ENTRY OF APPEARANCE

Danielle M. Gardner, of the law firm of Cook Schuhmann & Groseclose, Inc., 714 Fourth Avenue, Suite 200, Fairbanks, Alaska, 99701, enters her appearance herein as counsel for the Personal Representative, Josephine L. Malemute, in the above-entitled matter and requests that copies of all pleadings in this action be served upon her.

DATED this 11<sup>th</sup> day of May 2015.

COOK SCHUHMAN & GROSECLOSE, INC.  
Attorneys for Josephine L. Malemute

BY: Danielle Gardner  
Danielle M. Gardner, #0411088

COOK SCHUHMAN  
& GROSECLOSE, INC.  
714 FOURTH AVE., SUITE 200  
POST OFFICE BOX 70810  
FAIRBANKS, AK 99707-0810

(907) 452-1855  
FACSIMILE  
(907) 452-8154

0323

**LIQUOR LICENSE**  
**2014 - 2015**

1804

THIS LICENSE EXPIRES MIDNIGHT DECEMBER 31  
UNLESS DATED BELOW

TYPE OF LICENSE:

Beverage Dispensary

LICENSE FEE:

\$2,500.00

FILING FEE: \$200.00

CITY / BOROUGH:

Galena  
Unorganized Borough

This license cannot be transferred without permission  
of the Alcoholic Beverage Control Board

Special restriction - see reverse side

D/B/A:

Yukon Inn

Mailing Address:

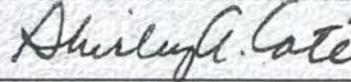
Riverside Dr

Marlene R Marshall

PO Box 169

Galena, AK 99741

ISSUED BY ORDER OF THE  
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 9/09)

Tab

**27**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: AK Alchemist License #5367

This application for a new restaurant/eating place in Anchorage. The MOA has issued a protest due to a denied administrative site plan review, protest from the MOA Fire Department, and pending building safety approval. This protest was tabled from the April 29, 2015 meeting because the site plan review, fire department approval and building safety review were pending.

Date Notification sent to MOA: January 7, 2015

Date MOA Protest Received: March 5, 2015

Basis for Protest: Denial of administrative site plan review (finalized 6/3/15), protest from the MOA Fire Department and pending building safety review

Requirements met per 3 AAC 304.145(d): Yes, a hearing was held on April 28, 2015.

Recommendation: Unless the board determines that the protest is arbitrary, capricious and unreasonable, uphold the protest

Action on protest: Denial of new license application per AS 04.11.480(a).

**From:** [Honest, Miranda L.](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Subject:** AK Alchemist LL#5367  
**Date:** Wednesday, June 17, 2015 3:42:51 PM

---

Hi Sarah,

AK Alchemist went before the Assembly on April 28, 2015. It was decided to continue the protest. As of June 3, 2015 the Planning Department denied the request for an Administrative Site Plan Review.

As of today, June 17, 2015, the Fire Department has protested and Building Safety has not been received.

Regards,

**Mandy Honest**

Business License Official

**Municipal Clerk's Office**

632 W. 6th Avenue, Suite 250

Anchorage, AK 99501

Phone: (907) 343-4316

MuniFax: (907) 249-7614

Email: [HonestML@muni.org](mailto:HonestML@muni.org)

[www.muni.org](http://www.muni.org)



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

May 5, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **April 28, 2015** decided to continue the protest of the New Restaurant/Eating Place Liquor License for AK Alchemist, LLC dba AK Alchemist LL #5367 to provide for the Anchorage Assembly, as the local governing body, to complete its responsibilities under state statute and regulations. The resolution is enclosed.

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Jamie Heinz  
Business License Official

Concur,

Amanda K. Moser  
Deputy Municipal Clerk

Enclosure

CLERK'S OFFICE

APPROVED

Date:

4-28-15

Submitted by: ASSEMBLY MEMBER FLYNN  
ASSEMBLY CHAIR TRAINI  
ASSEMBLY MEMBER HONEMAN

Prepared by: MUNICIPAL CLERK'S OFFICE

Reviewed by: Assembly Counsel

For reading: April 28, 2015

**ANCHORAGE, ALASKA  
AR NO. 2015-156**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPLEMENTING**  
2 **AR NO. 2015-59, STATING THE ASSEMBLY'S PROTEST REGARDING A NEW**  
3 **RESTAURANT/EATING PLACE LIQUOR LICENSE #5367 AND RESTAURANT**  
4 **DESIGNATION PERMIT FOR AK ALCHEMIST, LLC dba AK ALCHEMIST, LOCATED**  
5 **AT 103 E. 4<sup>TH</sup> AVENUE, ANCHORAGE, ALASKA AND FURTHER PROVIDING FOR**  
6 **THE ANCHORAGE ASSEMBLY, AS THE LOCAL GOVERNING BODY, TO**  
7 **COMPLETE ITS RESPONSIBILITIES UNDER STATE STATUTE AND**  
8 **REGULATIONS .**

---

9  
10 WHEREAS, AR No. 2015-59, as attached, was passed and approved by the  
11 Anchorage Municipal Assembly on March 3, 2015; and

12  
13 WHEREAS, the purpose of this Resolution is to supplement AR No. 2015-59 for  
14 reasons stated herein; and

15  
16 WHEREAS, Anchorage Municipal Code 21.50.500A.1 mistakenly references  
17 Anchorage Assembly approval of a beer and wine license for a restaurant or eating  
18 place; and

19  
20 WHEREAS, the Anchorage Assembly does not have the authority to approve a  
21 restaurant or eating place liquor license, because that authority is held exclusively with  
22 the Alcoholic Beverage Control Board; and

23  
24 WHEREAS, the intent of Anchorage Municipal Code 21.50.500A.1 is not  
25 ascertainable without correction by the Anchorage Assembly; and

26  
27 WHEREAS, the structure in question would be classified under title 21 as a  
28 conex unit; and

29  
30 WHEREAS, the applicant business holds a Mobile Food Vendor Permit from the  
31 Municipal Department of Health and Human Services; and

32  
33 WHEREAS, the Anchorage Assembly seeks guidance and review of this  
34 application and Anchorage Municipal Code 21.50.500A.1 by the Public Safety  
35 Committee prior to further Assembly action; and

36  
37 WHEREAS, continued notice of protest by the Assembly is in order to allow the  
38 Anchorage Assembly, as the local governing body, to complete its responsibilities under

1 state statute and regulations, including without limitation review of this application under  
2 3AAC 304.145; and to allow the applicant the opportunity to attend the Public Safety  
3 Committee meeting of the Anchorage Assembly and upon 21-day notice, as required by  
4 Anchorage Municipal Code 2.30.120, the opportunity to attend and be heard at public  
5 hearing on the exercise or waiver of this protest, after the Public Safety Committee has  
6 presented its recommendations;

7  
8 NOW, THEREFORE, BE IT RESOLVED by the Anchorage Assembly:

9  
10 **Section 1.** This Assembly Resolution supplements AR No. 2015-59 which was  
11 passed and approved by the Anchorage Assembly on March 3,  
12 2015.

13  
14 **Section 2.** The Anchorage Assembly hereby continues its PROTEST for  
15 issuance of Restaurant/Eating Place Liquor License #5367 and  
16 Restaurant Designation Permit to allow the Anchorage Assembly,  
17 as the local governing body, to complete its responsibilities under  
18 state statute and regulations, including without limitation review of  
19 this application under 3AAC 304.145.

20  
21 **Section 3.** The Anchorage Assembly refers AR No. 2015-59 and this  
22 supplement to the Public Safety Committee for a full review and  
23 recommendations.

24  
25 **Section 4.** Review by the Public Safety Committee shall include  
26 recommendation and guidance to the Anchorage Assembly on:

- 27
- 28 • The anomaly in Anchorage Municipal Code 21.50.500A.1  
29 referencing approval of a beer and wine license by the  
30 Anchorage Assembly.
  - 31
  - 32 • Whether the Anchorage Assembly should allow alcohol-related  
33 land use for on-premises consumption of beer and wine for  
34 mobile food vendors.
  - 35
  - 36 • Whether the Assembly should allow alcohol-related land use for  
37 on-premises consumption of beer and wine in a conex unit.
  - 38

39 **Section 5.** The recommendations from the Public Safety Committee shall be  
40 provided to the Anchorage Assembly at its May 26, 2015 meeting.

41  
42  
43 **Section 6.** A copy of this Assembly Resolution may be presented to the  
44 Alcoholic Beverage Control Board as proof that the Anchorage  
45 Assembly, as the local governing body, has stated and  
46 supplemented its protest in order to allow the Director of the  
47 Alcoholic Beverage Control Board to hold processing of

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Restaurant/Eating Place Liquor License #5367 and Restaurant Designation Permit under local protest, until receipt by the Director of confirmation from the Municipal Clerk that additional Assembly action has been taken on the exercise or waiver of this protest, after due process.

**Section 7.** This matter shall be scheduled to come before the Public Safety Committee at its regular meeting in May, 2015. The Municipal Clerk shall provide the licensee notice of the date, time and place of the meeting before the Public Safety Committee. Additionally, upon receiving the recommendations from the Public Safety Committee, the Anchorage Assembly may schedule a public hearing on the Anchorage Assembly's exercise or waiver of continued protest. In the event the Anchorage Assembly schedules a public hearing, the Municipal Clerk shall provide the licensee and the community council 21-day advance notice of the date, time and place of the public hearing before the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 28th day of April, 2015.

  
Chair of the Assembly

ATTEST:

  
Municipal Clerk



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

March 5, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses - **CORRECTED**

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 3, 2015** took the following final action:

### **APPROVAL/NON -OBJECTION**

#### **Renewal**

- **Restaurant/Eating Place**  
-Eagle River (E.R.) Alehouse LL#4717
- **Beverage Dispensary**  
-O'Brady's Burgers & Brew LL#4614

#### **New**

- **Restaurant/Eating Place**  
-Jimmy Sushi LL#5370

### **PROTEST**

#### **Renewal**

- **Restaurant/Eating Place**  
-Kansha Restaurant LL#4688  
-Pending payment of unpaid taxes.  
-Ling & Louie's Asian Bar & Grill LL#5038  
-Pending payment of unpaid taxes.
- **Package Store**  
-Spirits of Alaska #1 LL#3556  
-Conditional protest to allow for notice and opportunity for the licensee to be heard before the Assembly at a public hearing, prior to the exercise of additional protest or non-objection.

**Transfer of Ownership**

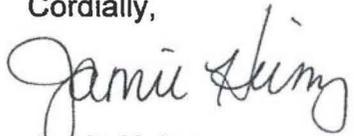
- **Restaurant/Eating Place**  
-Jimmy Sushi LL#5033  
-Pending receipt of fire department approval.
- **Beverage Dispensary**  
-South Restaurant + Coffee House LL# 4923  
-Pending receipt of Administrative Site Plan Review approval.

**New**

- **Restaurant/Eating Place**  
-AK Alchemist LL#5367  
-Pending receipt of fire department, building safety, and Administrative Site Plan Review approval.

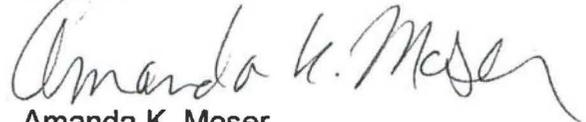
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz  
Business License Official

Concur,



Amanda K. Moser  
Deputy Municipal Clerk

CC: Eagle River (E.R.) Alehouse  
O'Brady's Burgers & Brew  
Jimmy Sushi  
Kansha Restaurant  
Ling & Louie's  
Spirits of Alaska  
South Restaurant + Coffee House  
AK Alchemist

#5367

# MUNICIPALITY OF ANCHORAGE



Community Development Department  
Planning Division

Phone: 907-343-8301  
Fax: 907-343-8200

Mayor Dan Sullivan

March 16, 2015

Adam Blomfield  
103 East 4<sup>th</sup> Avenue  
Anchorage, AK 99501

Subject: Administrative Site Plan Review, Case #2015-0009

Dear Applicant:

The Community Development Department has reviewed the application for an administrative site plan review for a restaurant eating place serving beer and wine for the property located at 103 East 4<sup>th</sup> Avenue. The property is zoned B-2B (central business district, intermediate). The application was reviewed in accordance with Anchorage Municipal Code (AMC) 21.50.500. The Department finds that the existing structure is permitted as a coffee cart and not as a restaurant.

The Community Development Department **DENIES** the request subject. A building permit is required for the establishment to be permitted as a restaurant and eligible for an administrative site plan review for a restaurant serving beer and wine.

This decision is final upon the date of this letter, unless appealed within 15 days to the Assembly. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the petition site. If the appeal is filed timely, the Assembly shall hold a public hearing at the next available meeting.

Sincerely,

Jerry T. Weaver, Jr.  
Director, Community Development Department

cc: **Alcoholic Beverage Control Board**  
2400 Viking Drive  
Anchorage, AK 99501

Barbara Jones, Municipal Clerk





THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015

RE: Baked Alaska Ale House License  
#5390

This application for a new restaurant/eating place license in Anchorage. The MOA has issued a conditional protest pending an administrative site plan review by the MOA Planning Department.

Date Notification sent to MOA: April 24, 2015

Date Cond. Protest Received: June 10, 2015

Basis for Conditional Protest: Pending administrative site plan review

Requirements met  
per 3 AAC 304.145(d): Unclear. See e-mail from MOA on this question.

Recommendation: Table until next meeting to allow site plan review to be completed and for MOA to clearly meet requirement in 3 AAC 304.145(d).

**From:** [Honest, Miranda L.](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Cc:** [Moser, Amanda K.](#)  
**Subject:** RE: 3 AAC 304.145(d)  
**Date:** Monday, June 22, 2015 8:41:50 AM  
**Attachments:** [Baked Alaska Alehouse LL#5390.pdf](#)  
[Club H.A.L.O. LL#5384.pdf](#)

---

Hi Sarah,

Baked Alaska was conditionally protested until a site plan review was completed. Francis with the Planning department said they are scheduled to for 6/26. [Resolution No. AR 2015-186](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Restaurant/Eating Place Liquor License #5390 and Restaurant Designation Permit for Baked Alaska Alehouse, Inc. dba **Baked Alaska Alehouse**, located at 3048 Mountain View Drive, #104, and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson, and Assembly Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Club HALO is conditionally protested until a conditional use permit has been completed. As of 6/15 Francis said they had not yet filed for one. [Resolution No. AR 2015-197](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Beverage Dispensary Duplicate, Liquor License #5384 for Fantasies on 5th. dba **Club H.A.L.O.** located at 1911 E. 5<sup>th</sup> Ave., and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson and Assembly Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: Addendum 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Please let me know if this is all the info you need. I'm still learning!

Thanks!

**Mandy Honest**  
Business License Official

**Municipal Clerk's Office**  
632 W. 6th Avenue, Suite 250  
Anchorage, AK 99501  
Phone: (907) 343-4316  
MuniFax: (907) 249-7614  
Email: [HonestML@muni.org](mailto:HonestML@muni.org)



# Municipality of Anchorage

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## Office of the Municipal Clerk Licensing

June 10, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Ave. Ste. 1600  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **June 9, 2015** took the following final action:

### **APPROVAL/NON -OBJECTION**

#### **Liquor License Renewal**

- **Beverage Dispensary**  
-Long Branch Saloon LL#670
- **Restaurant/Eating Place**  
-Peggy's Restaurant LL#1821  
-Agave LL#5213
- **Club**  
-Petroleum Club of Anchorage LL#3586

### **PROTEST(Resolutions Enclosed)**

#### **New Liquor License**

- **Restaurant/Eating Place**  
- Baked Alaska Alehouse LL#5390  
-Pending Administrative Site Plan Review by Planning Department
- Brickhouse Asian Grill LL#5389  
- Pending Administrative Site Plan Review by Planning Department
- **Beverage Dispensary Duplicate**  
- Club H.A.L.O. LL#5384  
-Pending a Conditional Use Permit by Planning Department

#### **Liquor License Renewal**

- **Wholesale - General**  
-Bill's Distributing, Inc. dba Avalanche Spirits LL#5041  
-Pending Payment of Taxes Due Totaling \$6,717.97

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Miranda Honest  
Business License Official

Concur,



Amanda K. Moser  
Deputy Municipal Clerk

CC: Long Branch Saloon  
Peggy's Restaurant  
Agave  
Petroleum Club of Anchorage  
Baked Alaska Alehouse  
Brickhouse Asian Grill  
Club H.A.L.O.  
Avalanche Spirits

Submitted by: ASSEMBLY CHAIR TRAINI,  
VICE-CHAIR GRAY-JACKSON AND  
ASSEMBLY PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN  
Prepared by: Municipal Clerk's Office  
For reading: June 9, 2015

**ANCHORAGE, ALASKA  
AR NO. 2015-**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS  
PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE  
#5390 AND RESTAURANT DESIGNATION PERMIT FOR BAKED ALASKA ALEHOUSE,  
INC. DBA BAKED ALASKA ALEHOUSE, LOCATED AT 3048 MOUNTAIN VIEW DRIVE,  
#104, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

---

WHEREAS, Baked Alaska Alehouse, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a New Restaurant Eating Place Liquor License #5390 and Restaurant Designation Permit, to be used for Baked Alaska Alehouse, located at 3048 Mountain View Drive, Suite 104, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on April 24, 2015 and has determined that the last day for the Assembly to file a protest is June 23, 2015 and

WHEREAS, the Assembly Meeting on June 9, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Municipal Building Safety approval **has** been received;
4. Administrative site plan review, required by AMC 21.50.500, **has not been completed**;
5. Approvals from the Municipal Health & Human Services and the Anchorage Fire Department **have not been received**; and

1 WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation  
2 that outstanding items required for this location have been completed;  
3

4 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:  
5

6 Section 1. The Anchorage Assembly hereby enters its PROTEST for a New  
7 Restaurant/Eating Place Liquor License #5390 and Restaurant  
8 Designation Permit until these conditions are met:  
9

- 10 • Administrative site plan review required by AMC 21.50.500 has  
11 been approved by the Planning Department and confirmed by the  
12 Municipal Clerk.
- 13 • Approval from Municipal Health & Human Services has been  
14 received and confirmed by the Municipal Clerk.
- 15 • Approval from Anchorage Fire Department has been received and  
16 confirmed by the Municipal Clerk.  
17

18 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic  
19 Beverage Control Board as proof that the Anchorage Assembly, as the  
20 local governing body, has stated its protest in order to allow the Director  
21 of the Alcoholic Beverage Control Board to hold processing of  
22 Restaurant/Eating Place Liquor License #5390 and Restaurant  
23 Designation Permit under local protest, until receipt by the Director of  
24 confirmation from the Municipal Clerk that the conditions in Section 1  
25 have been met, and this protest is lifted as authorized by this Assembly  
26 Resolution.  
27

28 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon  
29 Municipal Clerk confirmation that all conditions in Section 1 have been  
30 met, to provide written notification to the Alcoholic Beverage Control  
31 Board that this protest by the Anchorage Assembly is lifted, without  
32 further action by the Assembly.  
33

34 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of June,  
35 2015.  
36

37 \_\_\_\_\_  
38 Chair

39 ATTEST:  
40

41 \_\_\_\_\_  
42 Municipal Clerk





THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD  
MARIJUANA CONTROL BOARD

550 W. 7<sup>th</sup> Avenue, Ste 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair and  
Members of the Board  
FROM: Cynthia Franklin  
Director, ABC Board

DATE: June 22, 2015  
RE: Club H.A.L.O. License #5384

This application for a new beverage dispensary duplicate license (on Fantasies on 5<sup>th</sup>'s BDL) in Anchorage. The MOA has issued a conditional protest pending a conditional use permit by the MOA Planning Department.

Date Notification sent to MOA: May 29, 2015

Date Cond. Protest Received: June 10, 2015

Basis for Conditional Protest: Pending issuance of a conditional use permit

Requirements met  
per 3 AAC 304.145(d): Unclear. See e-mail from MOA on this question.

Recommendation: Table until next meeting to allow conditional use permit to be issued and for MOA to clearly meet requirement in 3 AAC 304.145(d).

**From:** [Honest, Miranda L.](#)  
**To:** [Oates, Sarah D \(CED\)](#)  
**Cc:** [Moser, Amanda K.](#)  
**Subject:** RE: 3 AAC 304.145(d)  
**Date:** Monday, June 22, 2015 8:41:50 AM  
**Attachments:** [Baked Alaska Alehouse LL#5390.pdf](#)  
[Club H.A.L.O. LL#5384.pdf](#)

---

Hi Sarah,

Baked Alaska was conditionally protested until a site plan review was completed. Francis with the Planning department said they are scheduled to for 6/26. [Resolution No. AR 2015-186](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Restaurant/Eating Place Liquor License #5390 and Restaurant Designation Permit for Baked Alaska Alehouse, Inc. dba **Baked Alaska Alehouse**, located at 3048 Mountain View Drive, #104, and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson, and Assembly Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Club HALO is conditionally protested until a conditional use permit has been completed. As of 6/15 Francis said they had not yet filed for one. [Resolution No. AR 2015-197](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Beverage Dispensary Duplicate, Liquor License #5384 for Fantasies on 5th. dba **Club H.A.L.O.** located at 1911 E. 5<sup>th</sup> Ave., and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson and Assembly Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: Addendum 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Please let me know if this is all the info you need. I'm still learning!

Thanks!

**Mandy Honest**  
Business License Official

**Municipal Clerk's Office**  
632 W. 6th Avenue, Suite 250  
Anchorage, AK 99501  
Phone: (907) 343-4316  
MuniFax: (907) 249-7614  
Email: [HonestML@muni.org](mailto:HonestML@muni.org)



# Municipality of Anchorage

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## Office of the Municipal Clerk Licensing

June 10, 2015

Ms. Sarah Oates  
Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Ave. Ste. 1600  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **June 9, 2015** took the following final action:

### **APPROVAL/NON -OBJECTION**

#### **Liquor License Renewal**

- **Beverage Dispensary**  
-Long Branch Saloon LL#670
- **Restaurant/Eating Place**  
-Peggy's Restaurant LL#1821  
-Agave LL#5213
- **Club**  
-Petroleum Club of Anchorage LL#3586

### **PROTEST(Resolutions Enclosed)**

#### **New Liquor License**

- **Restaurant/Eating Place**  
- Baked Alaska Alehouse LL#5390  
-Pending Administrative Site Plan Review by Planning Department  
- Brickhouse Asian Grill LL#5389  
- Pending Administrative Site Plan Review by Planning Department
- **Beverage Dispensary Duplicate**  
- **Club H.A.L.O. LL#5384**  
- **Pending a Conditional Use Permit by Planning Department**

#### **Liquor License Renewal**

- **Wholesale - General**  
-Bill's Distributing, Inc. dba Avalanche Spirits LL#5041  
-Pending Payment of Taxes Due Totaling \$6,717.97

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Miranda Honest  
Business License Official

Concur,



Amanda K. Moser  
Deputy Municipal Clerk

CC: Long Branch Saloon  
Peggy's Restaurant  
Agave  
Petroleum Club of Anchorage  
Baked Alaska Alehouse  
Brickhouse Asian Grill  
Club H.A.L.O.  
Avalanche Spirits

Submitted by: ASSEMBLY CHAIR TRAINI,  
VICE-CHAIR GREY-JACKSON AND  
ASSEMBLY PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN  
Prepared by: Municipal Clerk  
For reading: June 9, 2015

**ANCHORAGE, ALASKA  
AR NO. 2015-**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS  
PROTEST REGARDING A NEW BEVERAGE DISPENSARY DUPLICATE, LIQUOR  
LICENSE #5384 FOR FANTACIES ON 5TH. dba CLUB H.A.L.O. LOCATED AT 1911 E 5<sup>TH</sup>  
AVE., AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

---

WHEREAS, Fantasies On 5th has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Beverage Dispensary Duplicate, Liquor License #5384, to be used for Club H.A.L.O, located at 1911 E 5<sup>th</sup> Ave.; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on May 29, 2015 and has determined that the last day for the Assembly to file a protest is July 28, 2015 and

WHEREAS, the Assembly Meeting on July 28, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Conditional Use Permit required by AMC 21.50.160 **has not been approved;**
4. Approvals from Building Safety, Anchorage Fire Department and Municipal Health and Human Services Department **have not been** received.

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

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Section 1. The Anchorage Assembly hereby enters its PROTEST for a Beverage Dispensary Duplicate Liquor License #5384 until these conditions are met:

- Conditional Use Permit required by AMC 21.50.160 has been approved by the Planning Division and confirmed by the Municipal Clerk.
- Approvals from Building Safety, Anchorage Fire Department and Municipal Health and Human Services Department have been received and confirmed by the Municipal Clerk.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of the Beverage Dispensary Duplicate, Liquor License #5384 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of June, 2015.

\_\_\_\_\_  
Chair

ATTEST:  
\_\_\_\_\_  
Municipal Clerk

Tab

**28**

**MEMORANDUM**

TO: DEC – Area Office  
DPS – State Fire Marshall’s Office

[george.kulhanek@alaska.gov](mailto:george.kulhanek@alaska.gov)  
[diana.parks@alaska.gov](mailto:diana.parks@alaska.gov)

FROM: ABC Board  
2400 Viking Dr.  
Anchorage, AK 99501  
269-0350 – Phone  
334-2285 – Fax

DATE: 4/29/15

SUBJECT: New Liquor License Application

**WITHIN 30 DAYS** please notify our office if there is a reason to object to requested application.

License #	5393
DBA	Bearpaw River Brewing Company
TYPE OF LICENSE	Brewery AS 04.11.370
FOOD SERVICE PROVIDED	YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/>
PREMISE LOCATION	4605 East Palmer-Wasilla Hwy. Unit C Wasilla
MAILING ADDRESS	4605 East Palmer-Wasilla Hwy. Unit C Wasilla, AK 99564
PHONE	907-232-2718 Jake Wade

PROPOSED BUILDING  EXSISTING FACILITY  NEW BUILDING

REVIEWED APPROVED: Jacob Boothby DEC   
Fire Code official  
DATE: 5/4/2015 FIRE   
PHONE: 907-861-8030

As noted on the new liquor license form, the plans for the new tenant space for Bearpaw River Brewing Company have been reviewed by Central Mat-Su Fire Department. Approval is pending the final inspection and Certificate of Occupancy.



**MEMORANDUM**

TO: Employment Security Division  
Department of Revenue

theresa.mitchell@alaska.gov  
patricia.reimer@alaska.gov  
pamela.verschoor@alaska.gov

FROM: ABC Board

DATE: 6/16/15

2400 Viking Drive  
Anchorage, AK 99501  
269-0350 – Phone  
334-2285 – Fax

SUBJECT: Transfer of Ownership: Beverage Dispensary Liquor License #826

WITHIN 30 DAYS please notify our office if there is a reason to object to requested transfer.

**FROM:**

DBA	Tequila Kitchen
LICENSEE(S)	Tequila Kitchen, LLC
PREMISES LOCATION	445 West 4th Ave. Anchorage
MAILING ADDRESS	6200 A Street Anchorage, AK 99518
EIN	46-1501518
PHONE	907-569-8909

**TO:**

DBA	Tequila 61
LICENSEE(S)	JJT, LLC
PREMISES LOCATION	445 West 4th Ave. Anchorage
MAILING ADDRESS	6200 A Street Anchorage, AK 99518
EIN	47-2963727
PHONE	907-952-3408

REVIEWED/APPROVED: Object

Employment Security

DATE: 6/17/2015

Dept. of Revenue

PHONE: 269-4851

Tab

**29**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600  
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: June 23, 2015

FROM: Cynthia Franklin  
Director

RE: Bay View Inn Restaurant and  
Lounge #175

AS 04.11.400(d)(1)(F) requires 40 rental rooms if the population is 25,001 - 50,000.

The City and Borough of Juneau has a certified population of 33,064.

The applicant offers 49 rental rooms (29 with kitchenettes) and a full-service restaurant.

# Tourism Statement

The Breakwater Inn  
Restaurant & Lounge  
1711 Glacier Ave  
Juneau, Alaska 99801  
907-586-6303

This business has been operating successfully since 1966 in the same location and is part of Juneau's history. In the beginning of the business it was a Hotel, Restaurant, Lounge, banquet room, Laundromat, and showers. The breakwater Inn is conveniently located within walking distance from downtown Juneau, the capital of Alaska, including the following facilities and attractions:

**Juneau Douglas High School**

**City Swimming Pool**

**Harborview grade School**

**Federal Building**

**Alaska State Office Building**

**Capital Building**

**Diamond Court House**

**Centennial Hall Convention Center**

**Alaska State Museum**

**Alaska Native Brotherhood Hall**

**Sealaska Heritage Center**

**Channel Bowling Alley**

**Alaska & Proud Grocery Store**

**Downtown Juneau including's many tourist shops and attractions.**

The hotel has 49 rooms, 29 rooms with kitchenettes, 11 of them which are currently extended

stay units.

On the back side of the Breakwater Inn, provides large windows and balconies overlooking Aurora Bay. Restaurant and Lounge located 2<sup>nd</sup> floor provide Aurora Bay View and Gastineau Channel. Front entrance side provides Mountain Juneau View.

The City and Borough of Juneau requires one parking spot per 4 rooms, however The Breakwater Inn has one parking spot per room with an additional 7 parking spots.

This property is approximately 28,994 square feet.

Breakwater also offers a freezer and dry storage room for guests who catch seafood while visiting Juneau.

Many local residents have fond memories of the Restaurant's Steaks, Prime Rib and fresh Alaskan seafood dinners while dining overlooking the Aurora Bay and Gastineau Channel.

Although the Breakwater Inn hosts many tourists, there are also many local Juneauites that frequent the Restaurant and Lounge.

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

## Transfer Liquor License

(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: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
License Year: 2015	License Type: Beverage Dispensary – Tourism License	Statute Reference: Sec. 04.11.400(d)	Filing Fee:      \$100.00
License #: 175	Local Governing Body: (City, Borough or Unorganized) City and Borough of Juneau	Community Council Name(s) & Mailing Address:	Rest. Desig. Permit Fee: (\$50.00)      \$
Name of Applicant (Corp./LLC/LP/LLP/Individual/Partnership): CNH Holding LLC	Doing Business As (Business Name): Bay View Inn Restaurant and Lounge	Business Telephone Number: 907-586-6303	Fingerprint:      \$ (\$49.75 per person)
Mailing Address: 1711 Glacier Ave City, State, Zip: Juneau, Alaska 99801	Street Address or Location of Premises: 1711 Glacier Ave Juneau, Alaska 99801	Email Address: jamesb@cnhholding.com	<b>TOTAL</b> \$199.75
Is any shareholder related to the current owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes" please state the relationship _____			
SECTION B - TRANSFER INFORMATION			
<input checked="" type="checkbox"/> Regular Transfer <input 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: Q Enterprise Inc Business Name (dba) <i>BEFORE</i> transfer: Breakwater Inn Restaurant & Lounge Street Address or Location <i>BEFORE</i> transfer: 1711 Glacier Ave Juneau, Alaska 99801	
SECTION C - PREMISES TO BE LICENSED			
Distance to closest school grounds: <b>0.2 mil Est 1056 ft</b>	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410      OR <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 type="checkbox"/> Not applicable	
Distance to closest church: <b>3 mile</b>	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410      OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input type="checkbox"/> Diagram of premises attached	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building			

# 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

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):		Telephone Number:	Fax Number:
CNH Holding LLC		907-586-6303	907-463-4820
Corporate Mailing Address:	City:	State:	Zip Code:
1711 Glacier Ave	Juneau	Alaska	99801
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:
James Hargett, 1711 Glacier Ave, Juneau AK 99801 253-228-1702		03/02/2015	Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, attach written explanation. Your entity <b>must</b> 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
Hyun O Chi-Mott	Member	100	1711 Glacier Ave, Juneau , Alaska 99801	907-586-6303	12/14/64

# Transfer Liquor License

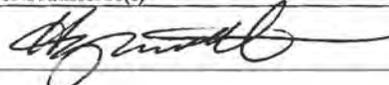
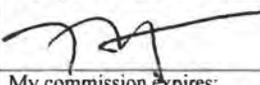
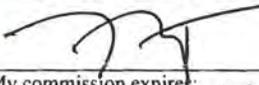
NOTE: If you need additional space, please attach a separate sheet.

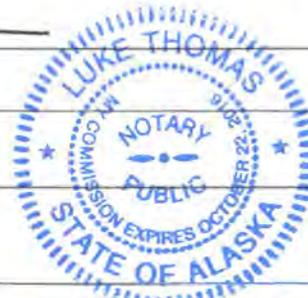
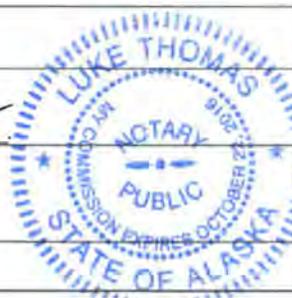
## SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

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

Signature of Current Licensee(s)	Signature of Transferee(s)
Signature 	Signature 
Signature _____	Signature _____
Name & Title (Please Print) Robin Young Owner	Name & Title (Please Print) Hyun O Chi-Mott Owner
Subscribed and sworn to before me this 7 day of April 2015	Subscribed and sworn to before me this 10 day of April 2015
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska 
My commission expires: 10/22/2016	My commission expires: 10/22/2016



**STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT  
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 175 Type: Beverage Dispensary - Tourism 4.11.40(d)

This application is for designation of premises where: (Please check the appropriate items below)

- 1.  Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2.  Persons 16 - 20 years of age may dine unaccompanied.
- 3.  Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4.  Persons between 16 - 20 years of age may be employed. \*(See note below)

Licensee's Name: CNH Holding

Name of Business: BayView Inn Restaurant and Lounge

Business Address: 1711 Glacier Ave City: Juneau, AK

1. Hours of operation 7 AM to 2 AM Telephone Number: (907) 586-6310

2. Have police been called to your premises for any reason?  Yes [ ] No  
(If you answered yes, please explain below).

Aug 9 2011, Police called for A vehicle drove off the Roadway striking a light pole and Anchor at the Breakwater Inn.

3. \* Duties of employment: Bussing table and hostess

4. Are video games available to the public on your premises? [ ] Yes  No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?  
 Yes [ ] No

6. How is food served?  Table Service [ ] Buffett Service [ ] Counter Service [ ] Other \_\_\_\_\_

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours?  Yes [ ] No

**\*\*\* A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\***

\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\*Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

[Signature]  
Licensee Signature

\_\_\_\_\_  
Local Governing Body Approval

Subscribed and sworn to before me this 23 day of April

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Public in and for Alaska

My Commission expires: 10/23/2016



\_\_\_\_\_  
Director, ABC Board

\_\_\_\_\_  
Date

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

**DBA:** Bay View Inn Restaurant and Lounge

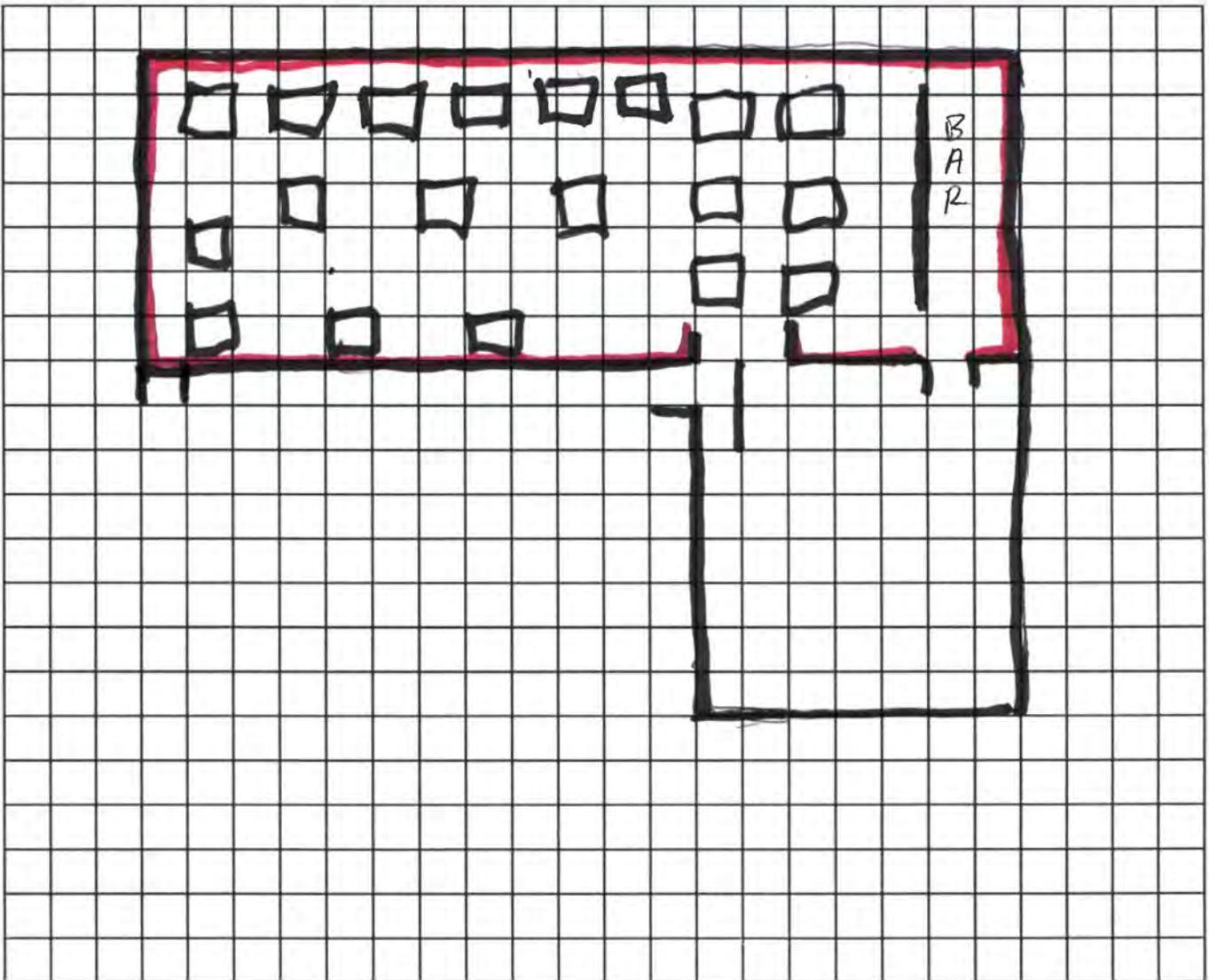
**PREMISES LOCATION:** 1711 Glacier Ave Juneau, AK 99801

Indicate scale by x after appropriate statement or show length and width of premises.

**SCALE A:** ✓ 1 SQ. = 4 FT.      **SCALE B:** \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet: 73'L X 27'W and 32'W X 24'L

**Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.**  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



# WELCOME TO PAOLI'S TRATTORIA

At the Breakwater Inn

## Appetizers

DEEP FRIED RAVIOLI	\$12.99	STEAMED CLAMS	\$14.99
SHRIMP COCKTAIL	\$18.99	<i>In clear garlic sauce or marinara.</i>	
CAESAR SALAD	\$10.99	DEEP FRIED MUSHROOMS	\$8.99
HOUSE SALAD	\$9.99	SAUTÉED MUSHROOMS	\$8.99
<i>With Paoli's famous house vinaigrette.</i>		HOT WINGS	\$8.99
DINNER SALAD	\$2.99	EGG ROLLS	\$7.99
<i>With your choice of dressing.</i>			
HOMEMADE CLAM CHOWDER			
<i>Small \$6.99      Large \$10.99</i>			

## Dinner Specials

NEW YORK STEAK AND GARLIC SHRIMP	\$35.99
<i>12 oz. New York steak grilled to order. Served with garlic sautéed shrimp, broccoli, and your choice of French fries or salad.</i>	
NEW YORK HONEYAKI	\$25.99
<i>12 oz. New York steak grilled to order then cubed and sautéed with peppers, onions, mushrooms, broccoli, and pineapples in a homemade teriyaki sauce. Served over rice sprinkled with sesame seeds.</i>	
SHRIMP AND ASPARAGUS SALAD	\$24.99
<i>Asparagus, artichoke hearts, kalamata olives, baby carrots, grape tomatoes, and red onions tossed in our homemade balsamic vinaigrette. Topped with garlic sautéed shrimp, feta cheese, and garlic bread.</i>	
SHRIMP AND GARLIC	\$24.99
<i>Shrimp sautéed in lemon, butter, garlic, and white wine. Served with penne pomodoro and broccoli.</i>	
CHICKEN MARSALA	\$17.99
<i>Chicken sautéed in olive oil, garlic, herbs, and mushrooms in a Marsala wine sauce. Served with penne pomodoro and broccoli.</i>	
VEAL MARSALA	\$22.99
<i>Veal sautéed in olive oil, garlic, herbs, and mushrooms in a Marsala wine sauce. Served with penne pomodoro and broccoli.</i>	
VEAL PICCATA	\$22.99
<i>Veal sautéed in olive oil, lemon, capers, garlic, and wine. Served with penne pomodoro and broccoli.</i>	
CHICKEN PICCATA	\$17.99
<i>Chicken sautéed in olive oil, lemon, capers and garlic with wine, served with penne pomodoro and broccoli.</i>	

## Fish and Chips

*Fresh halibut dipped in an Alaskan Amber beer batter, then deep fried and served with French fries and tartar sauce* **\$15.95**

## Burgers

*Served with your choice of fries, soup, or salad*

<b>Deluxe Burger</b>	<b>\$6.95</b>	<b>w/cheese</b>	<b>\$7.95</b>
<i>Broiled hamburger, lettuce, tomato and mayo</i>			
<b>Bacon Cheddar Burger</b>			<b>\$8.95</b>
<i>Crispy bacon, melted cheddar and all the works</i>			
<b>Mushroom Swiss Burger</b>			<b>\$8.95</b>
<i>Sautéed mushrooms, melted Swiss cheese, lettuce, tomato and onion</i>			
<b>Teriyaki Burger</b>			<b>\$8.95</b>
<i>Glazed with teriyaki sauce and topped with onions, lettuce, tomato and mayo</i>			
<b>Bleu Burger</b>			<b>\$9.95</b>
<i>Sautéed onions and mushrooms, with melted blue cheese, lettuce and tomato</i>			
<b>Alaska Halibut Burger</b>			<b>\$10.95</b>
<i>Fresh grilled halibut, served with tartar sauce, and all the works</i>			

## Sandwich Board

*Served with your choice fries, soup, or salad*

<b>BLT</b>	<b>\$7.95</b>
<i>Crisp bacon served on toasted sourdough bread with fresh lettuce and tomato</i>	
<b>Breakwater Club</b>	<b>\$8.95</b>
<i>Triple decker, made with ham, turkey, cheese, lettuce, tomato, and mayo</i>	
<b>Albacore Tuna Melt</b>	<b>\$8.95</b>
<i>White albacore, water chestnuts, and spices, with melted cheddar on sourdough</i>	
<b>Capital City Reuben</b>	<b>\$8.95</b>
<i>Deli sliced pastrami, sauerkraut, Swiss cheese, and thousand island dressing on dark rye</i>	
<b>Prime Rib Philly</b>	<b>\$9.95</b>
<i>Grilled onions, peppers, thinly sliced prime rib and melted Swiss</i>	
<b>Prime Rib French Dip</b>	<b>\$9.95</b>
<i>Thinly sliced prime rib on a French roll, served with au jus for your dipping pleasure</i>	
<b>Super Turkey Grill</b>	<b>\$9.95</b>
<i>Grilled sourdough with turkey, crispy bacon, Swiss cheese and tomato</i>	





THE STATE  
*of* **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600  
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: June 23, 2015

FROM: Cynthia Franklin  
Director

RE: Beluga Lake Lodge #4795

AS 04.11.400(d)(1)(D) requires 30 rental rooms if the population is 5,001 - 15,000.

The City of Homer has a certified population of 5,136.

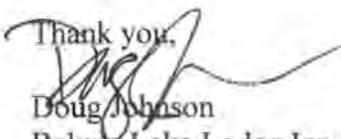
The applicant offers 35 rental rooms and a full-service restaurant.

To Whom It May Concern:

12/4/2014

Our business encourages tourism by giving tourists a play to stay, dine and drink all in one establishment. We have close ties with several of the local businesses that cater to the tourists. Examples are several fishing charters, eco-tourism companies, air charters that cater to sight seeing and bear viewing, the Alaska Marine Highway terminal, hunting, water taxi's, local art shops and the many businesses of the Homer Spit. We offer 35 rooms for overnight and longer accommodations all year round. We are full service offering our guests a continental breakfast and Dinner. Lunch is also offered by special request. We have made many improvements in the last couple years to our existing kitchen, rooms, roofs and exterior of our hotel. We are always looking to make improvements to our business that will make our guests visit to Alaska more comfortable and enjoyable.

Thank you,



Doug Johnson  
Beluga Lake Lodge Inc.

## Transfer Liquor License

License is:  Full Year      OR       Seasonal      List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
License Year: <b>2015-2016</b>	License Type: <b>Beverage Dispensary - Tourism</b>	Statute Reference: <b>Sec. 04 11 40(d)</b>	<b>12615 1618</b>
License #: <b>4795</b>	Local Governing Body: (City, Borough or Unorganized): <b>Homer - City</b>	Community Council Name(s) & Mailing Address: <b>N/A</b>	Filing Fee: \$100.00
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <b>Johnson Inn Homer LLC</b>	Doing Business As (Business Name): <b>Beluga Lake Lodge</b>	Business Telephone Number: <b>907-235-5995</b>	Rest Desig. Permit Fee: (\$50.00) <b>50.00</b>
Mailing Address: <b>575 Sterling Hwy Homer, AK 99603</b>	Street Address or Location of Premises: <b>204 Ocean Dr. Loop. Homer, AK 99603</b>	Email Address: <b>dj_bidarkainn@hotmail.com</b>	Fingerprint: \$ (\$51.50 per person)
Is any shareholder related to the current owner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<b>TOTAL 150.00</b>
If "yes" please state the relationship: <b>Self</b>			

SECTION B - TRANSFER INFORMATION	
<input checked="" type="checkbox"/> Regular Transfer <input 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 CURRENT Licensee: <b>Beluga Lake Lodge Inc 575 Sterling Hwy. Homer, Ak. 99603</b> Business Name (dba) BEFORE transfer: <b>dba Beluga Lake Lodge</b> Street Address or Location BEFORE transfer: <b>204 Ocean Drive Loop</b>

SECTION C - PREMISES TO BE LICENSED		
Distance to closest school grounds: <b>1.97 miles</b>	<b>Distance measured under:</b> <input type="checkbox"/> AS 04 11 410      OR <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>.88 mi</b>	<b>Distance measured under:</b> <input checked="" type="checkbox"/> AS 04 11 410      OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		

## Transfer Liquor License

### 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
Douglas Johnson	Chart Room	Bev. Dispensary - Tourism	236 KEZANO W Kodiak	AK AK

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>Johnson Inn - Homer LLC</b>		Telephone Number: <b>907-235-8148</b>	Fax Number: <b>907-235-8140</b>
Corporate Mailing Address: <b>575 Sterling Hwy</b>	City: <b>Homer</b>	State: <b>AK</b>	Zip Code: <b>99603</b>
Name, Mailing Address and Telephone Number of Registered Agent: <b>Douglas Johnson 575 Sterling Hwy Homer, AK 99603</b>		Date of Incorporation OR Certification with DCED: <b>11/10/14</b>	State of Incorporation: <b>AK</b>
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <b>must</b> 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
Douglas Johnson	member	50	907-299-1413 575 Sterling Hwy Homer AK	907-235-8148	4/26/73
Jacky Johnson	member	50	575 Sterling Hwy Homer AK	907-235-8148	1/5/75

# Transfer Liquor License

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: <u>Douglas Johnson</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: <u>575 Sterling Hwy Homer, AK 99603</u>	Date of Birth: <u>4/26/73</u>	Address:	Date of Birth:
Home Phone: <u>907-249-1413</u>		Home Phone:	
Work Phone: <u>907-235-8148</u>		Work Phone:	
Name: <u>Jacky Johnson</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: <u>575 Sterling Hwy Homer, AK 99603</u>	Date of Birth: <u>1/5/75</u>	Address:	Date of Birth:
Home Phone: <u>907-235-8148</u>		Home Phone:	
Work Phone:		Work Phone:	

### 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.

Signature of Current Licensee(s) Signature: <u>[Signature]</u>	Signature of Transferee(s) Signature: <u>[Signature]</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name & Title (Please Print) <u>John R. Johnson - President</u>	Name & Title (Please Print) <u>Douglas L Johnson</u>
Subscribed and sworn to before me this <u>19<sup>th</sup></u> day of <u>May</u> , <u>2015</u> .	Subscribed and sworn to before me this <u>21</u> day of <u>May</u> , <u>2015</u> .
Notary Public in and for the State of Alaska <u>[Signature]</u>	Notary Public in and for the State of Alaska <u>8-10-2018</u> <u>Brandon M. Grochow</u>
My commission expires: <u>2/19/19</u>	My commission expires: <u>8-10-2018</u>



NOTARY PUBLIC  
**BRANDON M GROCHOW**  
 STATE OF ALASKA

## Transfer Liquor License

**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: <u>Douglas Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer, AK 99603</u> Home Phone: <u>299-1413</u> Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>4/26/73</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: <u>Jacky Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer, AK 99603</u> Home Phone: Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>1/5/75</u>	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.

Signature of Current Licensee(s)	Signature of Transferee(s)
Signature	Signature
Signature	Signature
Name & Title (Please Print) <u>Douglas L Johnson V. President</u>	Name & Title (Please Print) <u>Douglas L Johnson Member</u>
Subscribed and sworn to before me this <u>26</u> day of <u>February</u> , 2015	Subscribed and sworn to before me this <u>26</u> day of <u>February</u> , 2015
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska 
My commission expires: <u>May 1, 2017</u>	My commission expires: <u>May 1, 2017</u>



**STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT  
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 4795 Type: Beverage Dispensary - Tourism

This application is for designation of premises where: (Please check the appropriate items below)

- 1.  Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2.  Persons 16 - 20 years of age may dine unaccompanied.
- 3.  Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4.  Persons between 16 - 20 years of age may be employed. \*(See note below)

Licensee's Name: Johnson Inn, Homer LLC

Name of Business: Beluga Lake Lodge

Business Address: 204 Ocean Dr. Loop City: Homer

1. Hours of operation 2pm to 12 AM. Telephone Number: 907-235-5995

2. Have police been called to your premises for any reason? [ ] Yes  No  
(If you answered yes, please explain below).

3. \* Duties of employment: Lounge Restaurant All duties included *Cleaning, Bus table serve food, dishes*

4. Are video games available to the public on your premises? [ ] Yes  No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?  
[ ] Yes  No

6. How is food served?  Table Service [ ] Buffet Service [ ] Counter Service [ ] Other \_\_\_\_\_

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours?  Yes [ ] No

**\*\*\* A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\***

**\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.**

**\*\*Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.**

[Signature]  
Licensee Signature

\_\_\_\_\_  
Local Governing Body Approval

Subscribed and sworn to before me this 7 day of May, 2015

\_\_\_\_\_  
Date

[Signature]  
Notary Public in and for Alaska

My Commission expires: May 1, 2017

\_\_\_\_\_  
Director, ABC Board

\_\_\_\_\_  
Date



STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Beluga Lake Lodge

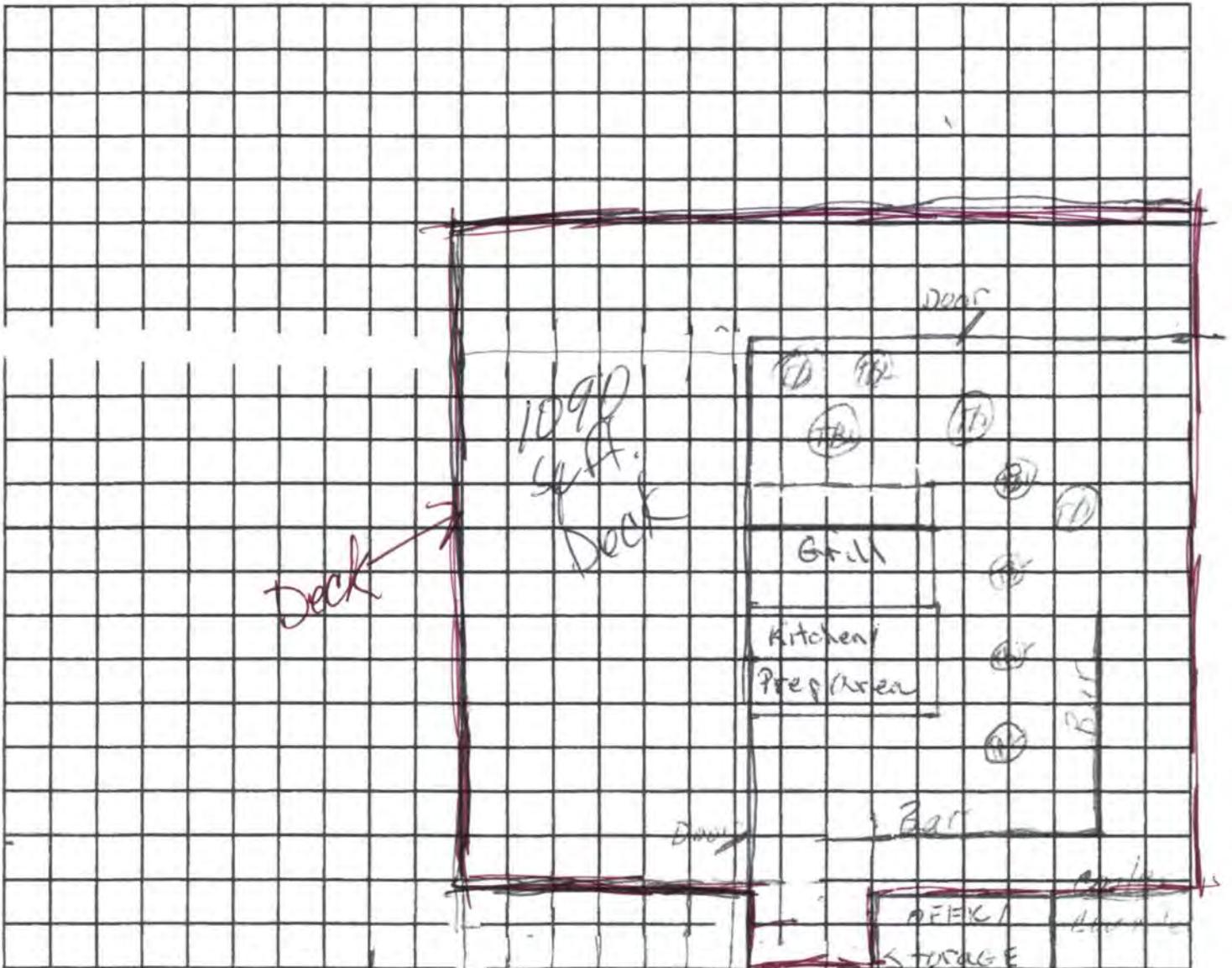
PREMISES LOCATION: 204 Ocean Drive Loop Homer, AK 99603

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: X 1 SQ. = 4 FT.      SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



# Beluga Lake Lodge BAR & GRILL



## Specialty Burgers Sandwiches ■ Steak

Choose ~~any~~ fresh McNeil Canyon Beef, whole chicken breast or turkey burger/Vegan Patty in any of the combos below. Want a little more kick? Ask to have them blackened.

All Burgers and Sandwiches served with your choice of Black and Tan Onion Rings, Fries or Slaw. Add a patty for \$7.

- |   |                 |
|---|-----------------|
| <b>#1 Beluga Bomber</b> ~ Not for the Wimpy Eater!<br>Two 1/2 lb. Patties, served on top of onion strings, finished off with bacon and smoked cheddar             | <b>\$ 19.50</b> |
| <b>#2 Tail Dragger Burger</b> ~ Drippy Good!<br>Sautéed fresh mushrooms and onions, smoky cheddar and Swiss Cheese  | <b>\$ 15.50</b> |
| <b>#3 Beluga Bleu Burger</b> ~ Amazing Flavor Combo!<br>Bleu cheese, balsamic caramelized red onions and crisp bacon  | <b>\$ 15.50</b> |
| <b>#4 Garlic Asiago Burger</b> ~ None other like it in Homer!<br>House Asiago cheese blend, browned to perfection with all the toppings                           | <b>\$ 15.50</b> |
| <b>#5 Beluga BBQ Burger</b><br>House BBQ sauce, crispy onion strings and smoked cheddar   | <b>\$ 15.50</b> |
| <b>#6 Cessna Burger</b> ~ In honor of our Pilot Friends<br>Crisp bacon and smoked cheddar cheese  | <b>\$ 15.50</b> |
| <b>#7 Jalapeno Pepperjack</b> ~ Can 'ya handle it?<br>Pepperjack cheese, jalapenos and onion strings  | <b>\$ 15.50</b> |
| <b>Flat Iron Steak Sandwich</b> ~ grilled perfectly to your specifications<br>8 oz. of one of the most tender cuts of beef topped with sautéed mushrooms & onion. | <b>\$ 19.50</b> |
| <b>B.L.A.T.</b> ~ Smoked bacon, romaine, sliced avocado and juicy tomato generously combined to make a great flavor combo   | <b>\$ 13.50</b> |
| <b>Beluga Club</b> ~ Turkey burger, bacon, lettuce and tomato on Sourdough bread  | <b>\$ 13.50</b> |

# Beluga Lounge BAR & GRILL



## Appetizers

<b>Steamer Clams</b>	\$ 16.50
Sautéed in garlic and butter, finished with white wine, served with garlic Asiago bread	
<b>Calamari</b>	\$ 14.50
Tender golden morsels served with tartar sauce.	
<b>Garlic Asiago Fries</b>	\$ 8.50
Fries tossed in our house Asiago cheese blend, served with a Cajun mayo for dipping	
<b>Wings</b>	\$ 13.50
Plump & meaty. Choose Buffalo or BBQ sauce. Served with blue cheese sauce & celery sticks.	
<b>Asiago Stuffed Mushrooms</b>	\$ 13.50
One dozen ~ Our great Asiago blend in yet another combination. These are yummy!	

## Soup & Salads

<b>Soup Du Jour</b> served with garlic Asiago bread	cup \$ 5.00	bowl \$ 8.50
<b>Oriental Chicken Salad</b>	\$ 16.50	
Mixed greens tossed in oriental dressing with julienne peppers, toasted almonds, served over a bed of crisp wontons with grilled chicken		
<b>Caesar Salad</b> ~ House-made dressing, garlic croutons, romaine lettuce	\$ 15.50	
	with chicken	\$ 18.50
<b>Beluga Steak Salad</b>	\$ 19.50	
Steak grilled your way, topped with caramelized onions on a bed of greens, garnished with crisp bacon, served with bleu cheese dressing		
<b>House Salad</b> ~ Cucumber, red onion, tomato	\$ 8.50	

## Baskets

Served with Apple Cranberry Slaw, your choice of Fries, or Black & Tan Onion Rings

<b>Alaskan Amber Beer-Battered Rockfish Basket</b>	\$ 16.50
<b>Chicken Finger Basket</b>	\$ 12.50
<b>Calamari Basket</b>	\$ 16.50





THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600  
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: June 23, 2015

FROM: Cynthia Franklin  
Director

RE: Best Western Bidarka Inn/  
Otter Room #1402

AS 04.11.400(d)(1)(D) requires 30 rental rooms if the population is 5,001 - 15,000.

The City of Homer has a certified population of 5,136.

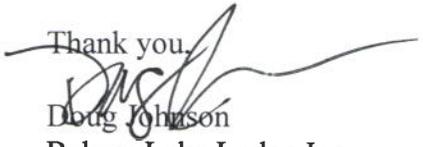
The applicant offers 74 rental rooms and a full-service restaurant.

To Whom It May Concern:

12/4/2014

Our business encourages tourism by giving tourists a play to stay, dine and drink all in one establishment. We have close ties with several of the local businesses that cater to the tourists. Examples are several fishing charters, eco-tourism companies, air charters that cater to sight seeing and bear viewing, the Alaska Marine Highway terminal, hunting water taxi's, Local art shops and the many businesses of the Homer Spit. We offer 74 rooms for overnight and longer accommodations all year round. We are full service offering our guests a breakfast and Dinner. Lunch is also offered by special request. We have made many improvements in the last couple years to our existing kitchen, rooms, and roofs. We are always looking to make improvements to our business that will make our guests visit to Alaska more comfortable and enjoyable.

Thank you.



Doug Johnson

Beluga Lake Lodge Inc.

12636

License is:  Full Year      OR       Seasonal      List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
License Year: <b>2015-2016</b>	License Type: <b>Beverage Dispensary - Tourism</b>	Statute Reference Sec. 04.11. <b>420(d)</b>	Filing Fee: \$100.00
License #: <b>1402</b>	Local Governing Body: (City, Borough or Unorganized) <b>Homer - City</b>		Rest. Desig. Permit Fee: ( <del>\$50.00</del> ) \$ <b>50.00</b>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <b>Johnson Inn Homer LLC</b>		Community Council Name(s) & Mailing Address:	Fingerprint: \$ (\$49.75 per person)
Mailing Address: <b>575 Sterling Hwy Homer, AK. 99603</b>		Doing Business As (Business Name): <b>Best Western Bidarka Inn/otter Room</b>	TOTAL <b>150.00</b>
City, State, Zip:		Street Address or Location of Premises: <b>575 Sterling Hwy Homer, AK. 99603</b>	Business Telephone Number: <b>907-235-8148</b>
Is any shareholder related to the current owner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Fax Number: <b>907-235-8140</b>	
If "yes" please state the relationship <b>Self</b>		Email Address: <b>dd_bidarka inn @hotmail.com</b>	

SECTION B - TRANSFER INFORMATION	
<input checked="" type="checkbox"/> Regular Transfer <input 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>Beluga Lake Lodge Inc</b> <b>575 Sterling Hwy Homer, AK 99603</b> Business Name (dba) <i>BEFORE</i> transfer: <b>Best Western Bidarka Inn</b> Street Address or Location <i>BEFORE</i> transfer: <b>575 Sterling Hwy. Homer AK 99603</b>

SECTION C - PREMISES TO BE LICENSED		
Distance to closest school grounds: <b>308 Feet</b>	<i>Distance measured under:</i> <input type="checkbox"/> AS 04.11.410      OR <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>0.2 miles</b>	<i>Distance measured under:</i> <input type="checkbox"/> AS 04.11.410      OR <input type="checkbox"/> Local ordinance No	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		

Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Transfer Liquor License

(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
Douglas Johnson	Chart Room	Ber. Disp - Tourism	236 Rezanof W. Kotik	AK

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>Johnson Inn - Homer LLC</b>		Telephone Number: <b>907-235-8148</b>	Fax Number: <b>907-235-8140</b>
Corporate Mailing Address: <b>575 Sterling Hwy</b>	City: <b>Homer</b>	State: <b>AK</b>	Zip Code: <b>99603</b>
Name, Mailing Address and Telephone Number of Registered Agent: <b>Douglas Johnson 575 Sterling Hwy Homer, AK 99603</b>		Date of Incorporation OR Certification with DCED: <b>11/10/2014</b>	State of Incorporation: <b>AK</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
Douglas Johnson	member	50	<sup>907-299-1413</sup> 575 Sterling Hwy Homer AK 99603	907-235-8148	4/26/73
Sacky Johnson	member	50	575 Sterling Hwy Homer AK 99603	235-8148	1/5/75

## Transfer Liquor License

**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: <u>Douglas Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer, AK 99603</u> Home Phone: <u>299-1413</u> Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>4/26/73</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: <u>Jacky Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer, AK 99603</u> Home Phone: Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>1/5/75</u>	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: <u>[Signature]</u> Signature: <u>[Signature]</u> Name & Title (Please Print): <u>John R Johnson - President</u> Subscribed and sworn to before me this <u>19<sup>th</sup></u> day of <u>May</u> , 2015 Notary Public in and for the State of Alaska <u>[Signature]</u> My commission expires: <u>2/19/19</u>	<b>Signature of Transferee(s)</b> Signature: <u>[Signature]</u> Signature: <u>[Signature]</u> Name & Title (Please Print): <u>Douglas L Johnson member</u> Subscribed and sworn to before me this <u>21</u> day of <u>May</u> , 2015 Notary Public in and for the State of Alaska <u>Brandon M. Grochow</u> My commission expires: <u>8-10-2018</u>
--	--



**NOTARY PUBLIC  
 BRANDON M GROCHOW  
 STATE OF ALASKA**

Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

## Transfer Liquor License

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

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

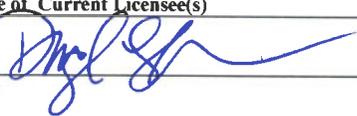
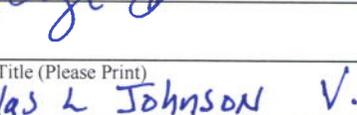
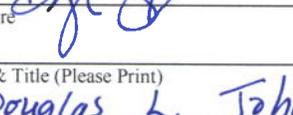
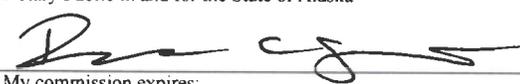
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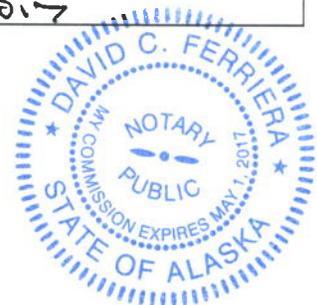
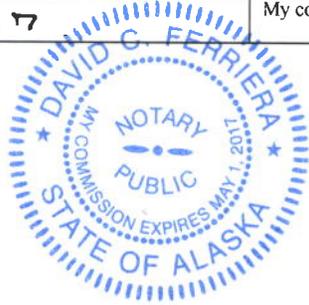
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Name: <u>Douglas Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer, AK 99603</u> Home Phone: <u>299-1413</u> Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>4/26/73</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: <u>Jacky Johnson</u> Address: <u>575 Sterling Hwy</u> <u>Homer AK 99603</u> Home Phone: <u>235-4747</u> Work Phone: <u>235-8148</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>1/5/75</u>	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.

Signature of Current Licensee(s)	Signature of Transferor(s)
Signature: 	Signature: 
Signature: 	Signature: 
Name & Title (Please Print) <u>Douglas L Johnson V. President</u>	Name & Title (Please Print) <u>Douglas L Johnson Member</u>
Subscribed and sworn to before me this <u>26</u> day of <u>February</u> , <u>2015</u>	Subscribed and sworn to before me this <u>26</u> day of <u>February</u> , <u>2015</u>
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska 
My commission expires: <u>May 1, 2017</u>	My commission expires: <u>May 1, 2017</u>



STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT  
AS 04.16.049 & 3 AAC 304.715 - 794

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 1402 Type: Beverage Dispensary - Tourism

This application is for designation of premises where: (Please check the appropriate items below)

- 1.  Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2.  Persons 16 - 20 years of age may dine unaccompanied.
- 3.  Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4.  Persons between 16 - 20 years of age may be employed. \*(See note below)

Licensee's Name: Johnson Inn Homer LLC  
Name of Business: Best Western Bidarka Inn / other room  
Business Address: 575 Sterling Hwy City: Homer

1. Hours of operation 12pm to 12 AM Telephone Number: 907-235-8148

2. Have police been called to your premises for any reason?  Yes [ ] No  
(If you answered yes, please explain below). disturbance

3. \* Duties of employment: clean bathrooms, vacuum, mop floors before it opens

4. Are video games available to the public on your premises?  Yes [ ] No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?  
 Yes [ ] No

6. How is food served?  Table Service [ ] Buffett Service [ ] Counter Service [ ] Other \_\_\_\_\_

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours?  Yes [ ] No

\*\*\* A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\*Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

Licensee Signature

Local Governing Body Approval

Subscribed and sworn to before me this 7 day of May 2015

Date

Notary Public in and for Alaska

My Commission expires; May 1, 2017

Director, ABC Board

Date



STATE OF ALASKA  
 ALCOHOL BEVERAGE CONTROL BOARD  
 Licensed Premises Diagram

# 1402

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, counters, bars, coolers, stages, etc.

DBA: Best Western Bidarka Inn / Otter Room

PREMISES LOCATION: Otter Room 575 Sterling Hwy Homer, AK 9960

Indicate scale by x after appropriate statement or show length and width of premises.

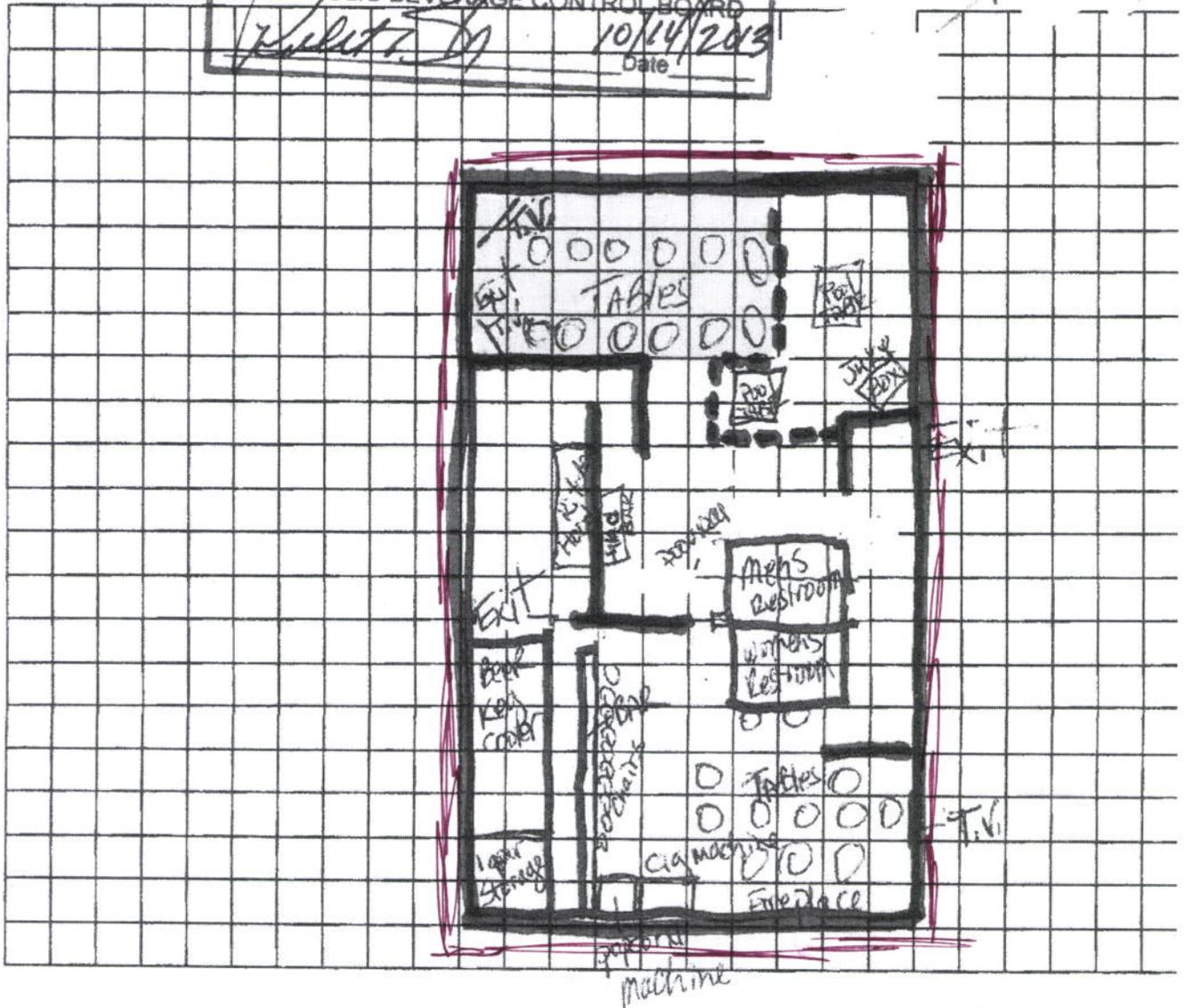
SCALE A: X 1 SQ. = 4 FT. SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet

Outline the area to be designated for sale, service, or consumption of alcoholic beverages in red.  
 DO NOT USE BLUE INK OR PENCIL FOR THIS PURPOSE.

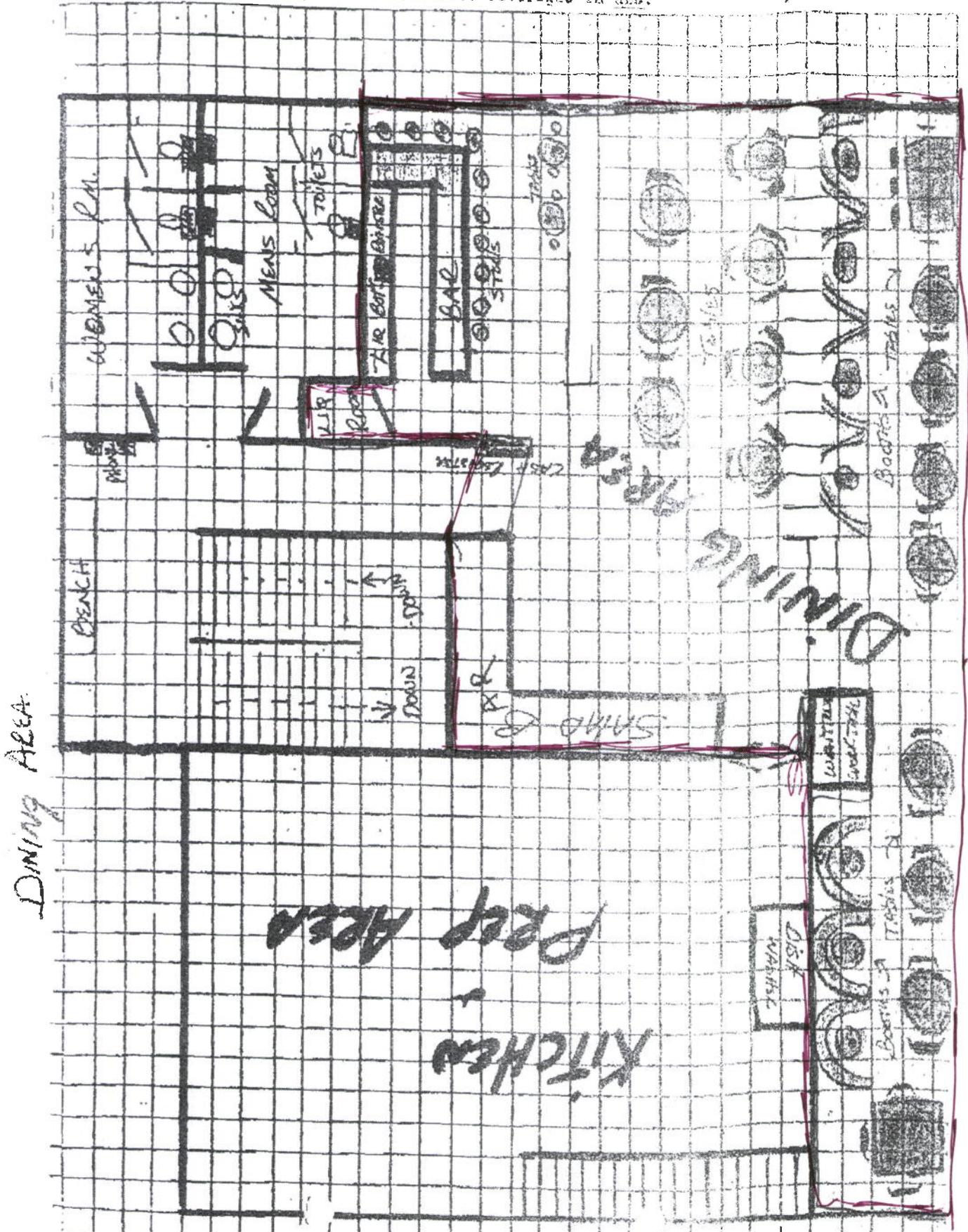
APPROVED DIAGRAM  
 STATE OF ALASKA, DEPT. OF COMMERCE  
 COMMUNITY AND ECONOMIC DEVELOPMENT  
 ALCOHOLIC BEVERAGE CONTROL BOARD  
 [Signature] 10/14/2013  
 Date

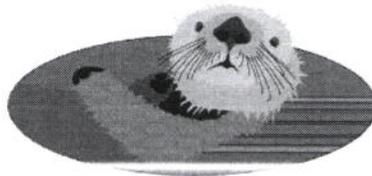
NO access to play pool tables near olds



Best Western Bidarka Non-Smoking

Outline the area to be designated for sale, service and consumption of alcoholic beverages in RED.





# The Otter Room Grill

Open 7 Days a Week. 4pm-10pm. Dine In or Carry Out. (907)235-6114 Like us on Facebook.

## Appetizers

**Chili Cheese Fries or Tots**.....\$ 9

With Red Chili, Cheddar-Jack and Chopped Onion.

**Chili Cheese Dog**.....\$ 5

**Pub Fries or Tots**.....\$ 6

**Mozzarella Sticks**.....\$ 8

**Fried Pickles**.....\$ 5

**Chips and Salsa**.....\$ 5

**Chicken Wings**.....5 for \$8 10 for \$15

Mild or Hot Buffalo, Teriyaki, BBQ or Raspberry Hot.

**Jalapeno Poppers**.....\$ 8

**Breaded Calamari**.....\$13

**O-Rings**.....\$ 9

**Shrooms**.....\$ 8

**Clam Strips**.....\$ 6

## Baskets

Baskets are served with Fries or Tots.

**Shrimp Basket**...\$13

**Halibut Fish and Chips**...\$22

**Chicken Strip Basket**.....\$12

## Mexican

\*Substitute Halibut or Prime Rib, Just \$3 more.\*

**Tacos\***.....\$9.

Hard or Soft, Beef or Chicken.

Served with Chips and Salsa.

**Nachos\***.....\$8small/\$15large

Choose Beef or Chicken,

Served with Salsa and Sour Cream.

**Quesadilla\***.....\$12

Choose Chicken or Beef,

Served with Salsa and Sour Cream.

## Soup and Salad

**Soup of the Day** .....Cup\$4 Bowl \$6

**Garden Salad** .....\$4

Greens, Tomato, Cucumber, Onion, Cheese and Croutons.

**Taco Salad\***.....\$14

Crispy Tortilla Shell, Lettuce, Tomato, Cheese, Jalapenos,

Onion and Your Choice of Beef, Chicken.

**House Red Chili**.....Cup\$4 Bowl \$6

**Soup and Salad**..... \$7.50

Freshly Prepared Soup and Garden Salad.

**Grilled Chicken Salad**.....\$13

Grilled Chicken, Tomato, Cucumber, Cheddar,

Red Onion, Croutons and Your Choice of Dressing.

## Dressings and Dipping Sauces \$.75

Ranch, Bleu Cheese, 1000 Island, Catalina, Fat Free Italian, Honey Mustard, Mild or Hot Buffalo,

Raspberry Hot, Sriracha, Teriyaki, Tartar, Cocktail, Sweet Chili and Au Jus.

# Char-Broiled Burgers

Served with Lettuce, Tomato, Pickle, Onion and Fries or Tots. Substitute Onion Rings \$2, Side Salad or Cup of Soup \$3.

## The Original Otter Burger.....\$12.50

A Half Pound Burger, Topped with Grilled Onion, Sautéed Mushrooms and Swiss Cheese.

## Chili Cheese Burger.....\$13

Our Famous Half Pound Burger, Smothered With Chili and Cheese, Served Open-Faced.

## Patty Melt.....\$12

Juicy Half Pound Burger, with Grilled Onion, And Swiss Cheese on Toasted Rye.

## Road House Burger.....\$14

A Half Pound Burger, Covered with BBQ Sauce, Cheddar Cheese, Bacon and an Onion Ring.

## Build Your Own Burger

### 1/3 Pound Hamburger .....\$8.50

### 1/2 Pound Hamburger.....\$11.50

### Double Burger.....\$12.50

### The Full Pounder.....\$16.50

Cheese: Cheddar, Swiss, Blue Cheese Crumbles, Pepper Jack, American. \$1.50

Bacon: \$2.50 Double Bacon: \$4 Chili: \$3

Veggies: Sautéed Mushrooms, Grilled Onions, Sour Kraut, Jalapenos. \$1.25

## Sandwiches

Served with Fries or Tots. Substitute Onion Rings \$2, Side Salad or Cup of Soup \$3.

### Grilled Chicken.....\$10

Tender Charbroiled Chicken on a Bun.

### Chili Dogs.....\$9

Two Dogs with Chili, Cheddar, and Onion.

### Rueben Sandwich.....\$12

Corned Beef, Sour Kraut, 1000 Island, Swiss on Rye.

### Grilled Cheese.....\$8

Grilled Cheddar on White Bread.

### Kickin'Chicken.....\$13

Blackened Chicken, Bacon, Jalapeños and Pepper Jack.

### Turkey Club.....\$12

Triple Decker Favorite, Served Hot with Cheddar.

### Prime Rib French Dip.....\$14

McNeil Canyon Prime Rib, Our Own Bread, Au Jus.

### BLT.....\$9

A Classic Slathered with Mayo.

### Philly Steak.....\$16

McNeil Canyon Prime Rib, Peppers, Onions and Swiss.

### BBQ Pulled Pork.....\$10

Juicy Pork, Tangy BBQ Sauce and Grilled Onion.

## Entrees

All Entrees are Served with a Cup of Soup or Side Garden Salad, Baked Potato, Vegetable and Garlic Bread.

### Baby Back Ribs..Full Rack \$32 Half Rack \$22

Linda's Famous Recipe, with Smokey BBQ.

### Grilled Chicken Dinner.....\$18

Two Marinated Chicken Breasts.

### Char-Broiled Steak.....Market Price

Ask your Server for Today's Selection and Price.

### Catch of the Day.....Market Price

Ask your Server for Today's Selection and Price.

**Be Sure To Ask Your Server, About Today's Desserts.**

Required Disclaimer: We will gladly prepare your food to your liking. Consuming raw or undercooked meats may increase your risk of contracting foodborne illness.

MAY 14 '15 AM 10:28





THE STATE  
*of* **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600  
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: June 23, 2015

FROM: Cynthia Franklin  
Director

RE: Clarion Suites Downtown #5381

AS 04.11.400(d)(1)(G) requires 50 rental rooms if the population is greater than 50,000.

The Municipality of Anchorage has a certified population of 301,134.

The applicant offers 112 rental rooms, 110 of which have kitchenettes.

Clarion Suites Downtown  
1110 W 8<sup>th</sup> Ave  
Anchorage AK 99501  
(907) 222.5005

January 14, 2015

### **Tourism Statement**

1. Clarion Suites Downtown encourages tourism through television, brochures and online advertisement. This facility provides guest room to tour companies that are providing organized packaged tours.
2. Clarion Suites offers a total of 112 guest rooms, 110 of which offer kitchenettes.
3. No food service is offered. A third party room service is provided; menu is attached.
4. Hotel offers a select few amenities such as: on-site laundry facility, same day valet service, onsite pool & exercise facility, microwaves & refrigerator in every guest room.
5. No construction or improvement has been made to the existing premises within the last two years.

# New 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: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
<i>Office Use:</i> License Year: <u>2015-2016</u>	License Type: <b>Beverage Dispensary -Tourism</b>	Statute Reference Sec. 04.11.400D	License Fee: <b>\$2500.00</b> Filing Fee:       \$100.00 Rest. Desig. Permit Fee:               \$
<i>Office Use:</i> License #: <u>5381</u>			Fingerprint: <b>\$49.75</b> ( <b>\$49.75 per person</b> )
Local Governing Body: (City, Borough or Unorganized)  <b>City - MOA</b>	Community Council Name(s) & Mailing Address:  <b>South Addition</b>		<b>TOTAL</b> <del>\$2649.75</del> <b>\$ 2848.75</b>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership):  <b>Pemberly Hotel Group, LP</b>	Doing Business As (Business Name): <b>Clarion Suites Downtown</b>	Business Telephone Number: <b>(907) 222.5005</b>	Fax Number: <b>(907) 222.5215</b>
Mailing Address: <b>5851 S Virginia St</b>	Street Address or Location of Premises: <b>1110 W. 8<sup>th</sup> Ave Anchorage, AK 99501</b>	Email Address:  <i>Shalanda.worthington@outlook.com</i>	
City, State, Zip: <b>Reno, NV 89502</b>			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <b>.04 miles</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>.02 miles</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	

# New Liquor License

## SECTION C – 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

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 D – 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):		Telephone Number:	Fax Number:
Pemberley Hotel Group, LP		(775) 829-4611	(775) 825-2048
Corporate Mailing Address: 5851 S Virginia St	City: Reno	State: Nevada	Zip Code: 89502
Name, Mailing Address and Telephone Number of Registered Agent: Baldeve Johal 1255 TVSA Way Fairbanks, AK 99709		Date of Incorporation OR Certification with DCED: 04/22/2013	State of Incorporation: Alaska

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
YC Fairbanks Hotel Group, LLC	General Partner	100%	5851 S Virginia St Reno NV 89502	(775) 829-4611	
Balbir Gosal		0%	5851 S. Virginia St Reno NV 89502	775.815.7500	11-05-1969
Gurdeep Bains		0%	15372 68th Ave Surrey BC V3S2B9		01-12-1977
Ravinder Bains		0%	15372 68th Ave Surrey BC V3S2B9		10-06-1950
Didar Singh		0%	15372 68th Ave Surrey BC V3S2B9		04-23-1944
Baldev Singh		0%	1472 Starr Street Yuba City CA 95993		08-10-1959

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

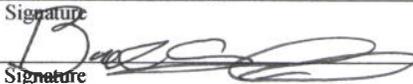
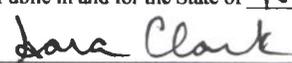
## SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

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

Signature of Licensee(s) Signature 	Signature of Licensee(s) Signature
Signature 1	Signature
Name & Title (Please Print) Bal Gosal	Name & Title (Please Print)
Subscribed and sworn to before me this 16 <sup>th</sup> day of December, 2014	Subscribed and sworn to before me this _____ day of _____
Notary Public in and for the State of Nevada 	Notary Public in and for the State of _____
My commission expires: December 21, 2014	My commission expires:







THE STATE  
*of* **ALASKA**

GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600  
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: June 23, 2015

FROM: Cynthia Franklin  
Director

RE: Edgewater Inn #5391

AS 04.11.400(d)(1)(D) requires 30 rental rooms if the population is 5,001 - 15,000.

The City of Ketchikan has a certified population of 8,313.

The applicant offers 46 rental rooms and a full-service restaurant.

5391

**Andrews, Maxine R (CED)**

---

**From:** Salmon Falls Lodge <salmonfalls lodge@live.com>  
**Sent:** Wednesday, April 29, 2015 10:06 AM  
**To:** Andrews, Maxine R (CED)  
**Subject:** Edgewater Inn Application

#### Edgewater Inn Tourism Statement

The Edgewater Inn is a small hotel, full service restaurant and marina located on Tongass Narrows. Our room décor and attraction to the tourism trade is that it is more like a bed and breakfast, more inviting than the typical hotel/motel rooms. We offer tours, fishing charters, flightseeing, or just the option of sitting on a private deck watching boats going by or the many airplanes landing and taking off.

We have 46 rooms that are available to the traveling public.

We have a full service restaurant with seating for 84.

Our rooms do not have kitchenettes or areas for food preparation.

Additional amenities are:

- Charter fishing
- Town tours
- Flightseeing

The Edgewater Inn has recently went through a complete renovation/upgrade, including the cocktail lounge that adjoins the dining room. To be a full service hotel and restaurant to the traveling public, we need a liquor license.

Shirley White April ,2015  
The Edgewater Inn  
4817 N. Tongass Hwy.  
Ketchikan, Alaska 99901  
Cell 907-617-7335

## New Liquor License

License is:  Full Year      OR       Seasonal      List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015/2016</u>	License Type: <u>Dispensary License</u>  <u>&lt; Tourism &gt;</u>	Statute Reference Sec. 04.11. <u>400.00</u>	<u>12607</u>  License Fee: <u>\$ 2500.00</u> Filing Fee: \$100.00 Rest. Desig. Permit Fee: <u>\$ 50.00</u> Fingerprint: \$ <u>(349.75 per person)</u> <b>TOTAL</b> <u>2650.75</u>
Office Use: License #: <u>5391</u>	Local Governing Body: (City, Borough or Unorganized) <u>City of Ketchikan</u>		Community Council Name(s) & Mailing Address: <u>City of Ketchikan</u> <u>334 Front St.</u> <u>Ketchikan, AK 99901</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>Alvin A. White</u>	Doing Business As (Business Name): <u>Edgewater Inn</u>		
Mailing Address: <u>P.O. Box 5464</u>	Street Address or Location of Premises: <u>4871 N. Tongass Hwy</u> <u>Ketchikan, AK 99901</u>		Business Telephone Number: <u>907-247-2600</u> Fax Number: <u>907-247-3717</u>
City, State, Zip: <u>Ketchikan, Alaska 99901</u>	Email Address:		
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>3 Miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410      OR <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 checked="" type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: <u>3 Miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410      OR <input type="checkbox"/> Local ordinance No. _____	<input checked="" type="checkbox"/> Not applicable	
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	

## New Liquor License

### SECTION C – 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
Alvin A White	Salmon Falls Lodge	Dispensary Lic. #1494	16707 N Tongass	Alaska
Shirley F. White	Salmon Falls Lodge	Dispensary Lic.	16707 N Tongass	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 D – 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):		Telephone Number:	Fax Number:
N/A			
Corporate Mailing Address:	City:	State:	Zip Code:
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:

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

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

## New Liquor License

### SECTION E - 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.)

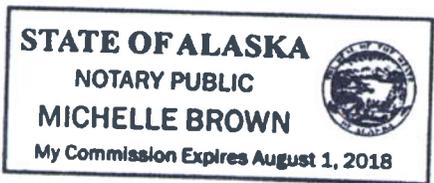
Name: <i>Alvin A. White</i> Address: <i>5153 Shoreline Dr. Ketchikan, AK 99901</i> Home Phone: <i>907-225-3717</i> Work Phone: <i>907-247-2600</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <i>9/23/30</i>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: <i>Shirley F. White</i> Address: <i>5153 Shoreline Dr. Ketchikan, AK 99901</i> Home Phone: <i>907-225-3717</i> Work Phone: <i>907-247-2600</i>	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>  Date of Birth: <i>8/13/39</i>	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.

*Alvin A. White*

Signature of Licensee(s) Signature  Signature  Name & Title (Please Print) <i>Alvin A. White</i> Subscribed and sworn to before me this <i>20<sup>th</sup></i> day of <i>March</i> , 2015. Notary Public in and for the State of <i>Alaska</i> <i>Michelle Brown</i> My commission expires: <i>8-1-18</i>	Signature of Licensee(s) Signature  Signature  Name & Title (Please Print)  Subscribed and sworn to before me this day of _____ Notary Public in and for the State of _____ My commission expires:
--	--



**STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT  
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 5391 Type: Dispensary License - Tourism

This application is for designation of premises where: (Please check the appropriate items below)

- 1.  Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2.  Persons 16 - 20 years of age may dine unaccompanied.
- 3.  Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4.  Persons between 16 - 20 years of age may be employed. \*(See note below)

*RECOMMEND APPROVAL  
ITEMS 1-4  
RESTRICTIONS  
unaccompanied  
#2 - PERSONS  
16-20 TO DINE  
IN RESTAURANT  
ONLY -  
PJB  
5/21/2015*

Licensee's Name: Alvin A. White  
Name of Business: The Edgewater Inn  
Business Address: 4871 N. Tongass Hwy City: Ketchikan

1. Hours of operation 6:00 AM to 12:00 PM Telephone Number: 907-247

2. Have police been called to your premises for any reason?  Yes  No  
(If you answered yes, please explain below).

3. \* Duties of employment: Dishwashing, bussing tables, Food Service, Food Prep

4. Are video games available to the public on your premises?  Yes  No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?  
 Yes  No

6. How is food served?  Table Service  Buffett Service  Counter Service  Other \_\_\_\_\_

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours?  Yes  No

\*\*\* A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\*Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

Alvin A. White  
Licensee Signature

Katherine M. Suiter  
Local Governing Body Approval

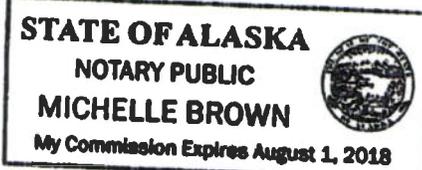
Subscribed and sworn to before me this 20<sup>th</sup> day of March, 2015  
Michelle Brown  
Notary Public in and for Alaska

Date 5/08/2015

My Commission expires: 8-1-18

[Signature]  
Director, ABC Board

Date 5/21/15



STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Edgewater INN

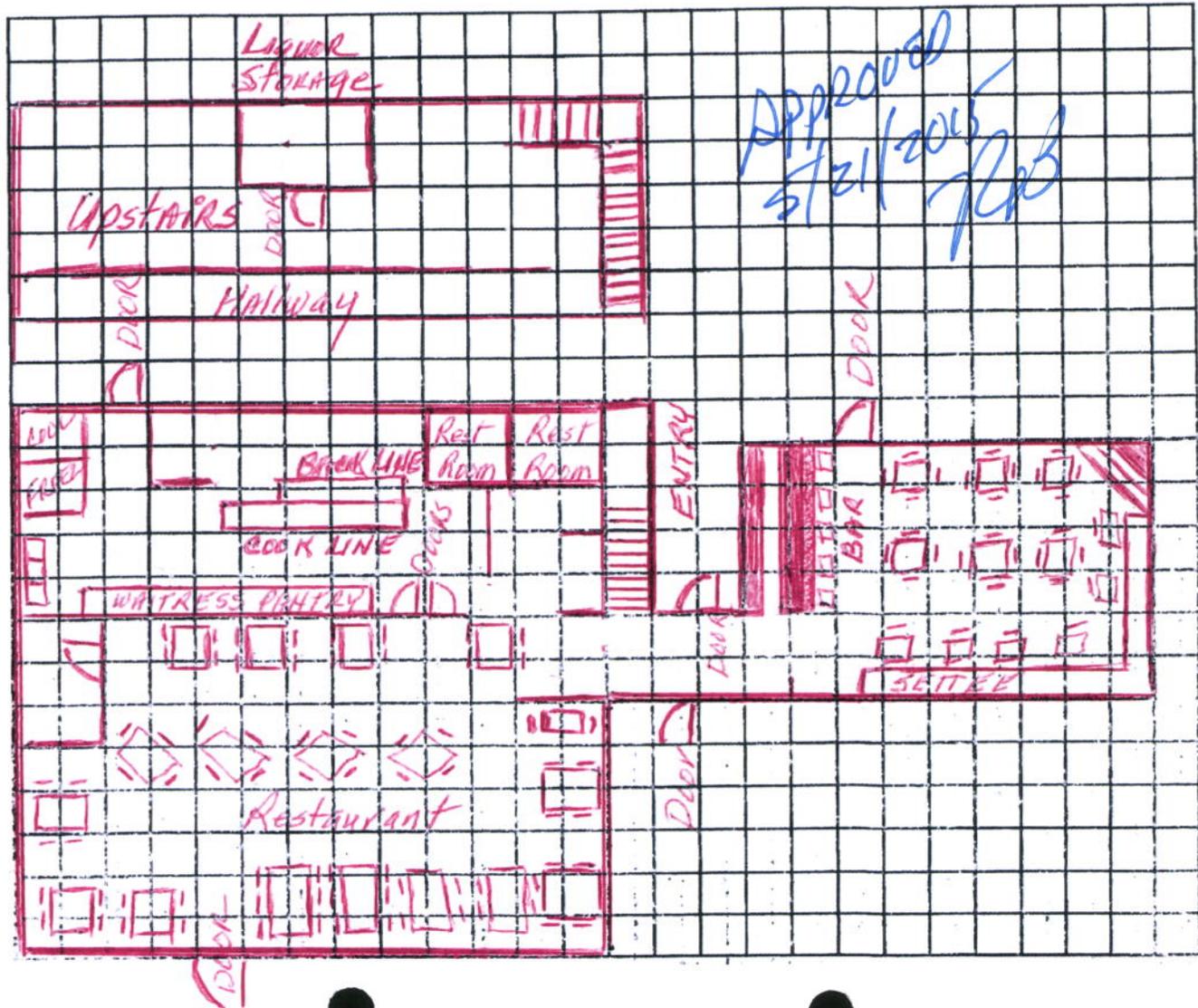
PREMISES LOCATION: 4871 N. Tongass Hwy. Ketchikan

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: X 1 SQ. = 4 FT.      SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



North Tongass Highway



Entrance

201	202	203	204	205	206	207	208	second floor	209	210	211	212
101	102	103	104	105	106	107	108	first floor	109	110	111	112

stairs

stairs

parking



Stairs ramp

Stairs

120	119	118	117	first floor	116	115	114	113
T	T HC	T HC	T	second floor	T	T	T	Laundry
220	219	218	217	second floor	216	215	214	213
T	T	T	T	second floor	T	T	T	T

Decks

stairs

Front Office

224	223	222	221
T	T	T	T

OF

227 Suite C | 226 Suite B | 225 Suite A

Restaurant

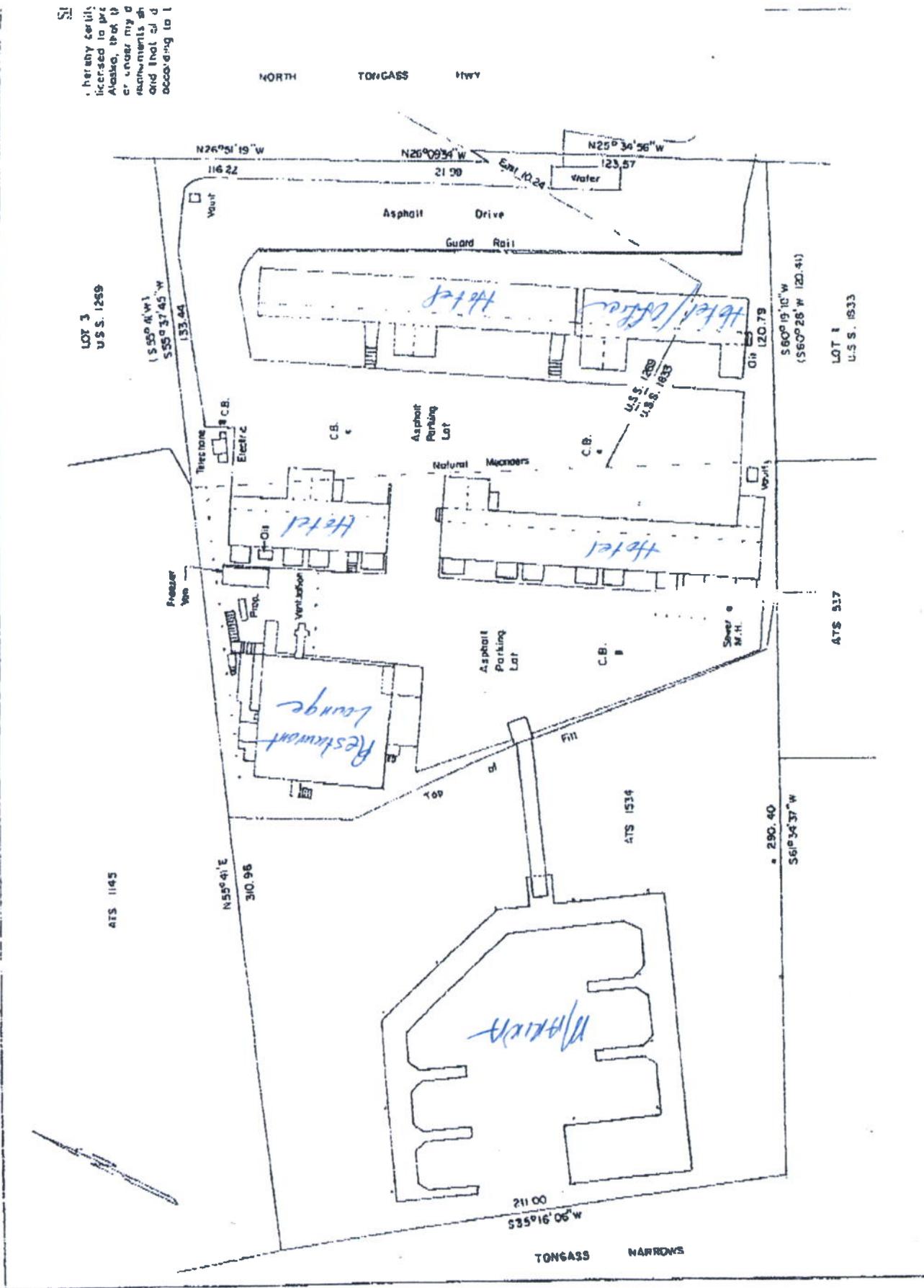
Lounge

parking

Deck

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# Dinner Menu

## Appetizers

- » **Crab Cakes \$14.95**  
Served with tartar sauce and garlic Aioli.
- » **Coconut Prawns \$14.95**  
Prawns, deep fried with coconut coating. Served with marmalade horseradish sauce.
- » **Bacon Wrapped Scallops \$14.95**  
Also known as devils on horseback. Served with Hollandaise sauce.
- » **Halibut Coconut Poppers \$12.95**  
Halibut nuggets blended with coconut and deep fried. Served with spicy horseradish marmalade sauce.
- » **Crab Alfredo Pizzettas**  
**3 \$4.95 6 \$9.95 9 \$14.95**  
3" pizzas with Alfredo sauce, 2 cheeses, crab, basil pesto an& bacon.
- » **1/2 Dozen Oysters**  
**Pan Fried \$15.95 On the half shell \$13.95**  
World class local Coffman Cove oysters.
- » **Steamed Clams \$16.95**  
A full pound of little neck clams steamed in herb garlic white wine sauce with toast points.
- » **Prawn Cocktail \$14.95**  
Large prawns surrounded by bay shrimp with cocktail sauce.
- » **Norwegian Fish Cakes**  
**6 \$5.95 10 \$10.95**  
Puffy tender traditional deep fried fish cakes of salmon and halibut
- » **Chicken Alfredo Pizzettas**  
**3 \$3.95 6 \$6.95 9 \$10.95**  
3" pizzas with Alfredo sauce, 2 cheeses, chopped chicken, basil pesto & bacon.
- » **Calamari \$10.95**  
Tender calamari, deep fried. Served with chipotle mayo or garlic Aioli.
- » **Crab and Artichoke Dip \$12.95**  
Classic hot crab dip served with crostini.
- » **Zesty Chicken Tenders \$9.95**  
Spiced chicken Tenders, lightly battered and deep fried. Ranch and honey mustard dressing.
- » **Hot Wings \$9.95**  
Golden crispy chicken wings served with celery, carrots and Ranch dressing.
- » **Double Tomato Bruschetta \$6.95**  
Fresh tomatoes, sun-dried tomatoes, garlic, basil, and mozzarella on baguette

PS  
 5/21/2015

## Soups and Entree Salads

- » **Soup of the day** Cup \$2.95 Bowl \$4.95
- » **Seafood Chowder** Cup \$4.95 Bowl \$6.95
- » **Sourdough Bread Bowl and Salad \$13.95**
- » **Narrows Inn Salad \$4.95**  
Mixed tender greens, fresh vegetables. Choice of dressing. Roll and butter.
- » **Seafood Cobb Salad \$15.95**  
Fresh greens with bay shrimp and crab, crumbled bacon, egg, diced tomato, avocado and blue cheese crumbles.
- » **Sesame Pasta Chicken Salad \$13.95**  
A refreshing light pasta salad with a delicious Asian flair. Linguini, chicken breast, peppers, green onion, mixed greens, mandarin oranges, and fresh cilantro.
- » **Chicken Brushcetta Salad \$13.95**  
Fresh spinach and lettuce topped with a combination of chicken, feta, and tomatoes tossed in a sundried tomato, basil pesto and topped with garlic croutons. Italian or balsamic dressing suggested on the side.
- » **Black & Blue Salad \$14.95**  
Blackened prime rib on a bed of lettuce with crumbled blue cheese. Choice of dressing.
- » **Buffalo Chicken Salad \$12.95**  
Spicy buffalo chicken served on a bed of lettuce with blue cheese crumbles, egg, tomato and cucumbers. Choice of dressing.
- » **Greek Pasta Salad \$11.95**  
Kalamata olives, tomatoes, cucumber, red onion, feta cheese, & sun dried tomatoes in a Greek red wine vinegar dressing.
- » **Caesar Salad \$9.95**  
Crisp romaine lettuce, garlic croutons, Parmesan cheese, and Caesar dressing.  
Add crispy calamari, chicken or bay shrimp. \$4.00  
Add grilled or blackened halibut or salmon \$10.00

Note: Eating undercooked meats or raw seafood may be detrimental to your health

**LUNCH MENU**  
Served 11:00am til 2:00pm daily

**Soups**

- |                                  |            |             |
|----------------------------------|------------|-------------|
| » Chef's Soup of the Day         | Cup \$2.95 | Bowl \$4.95 |
| » Seafood Chowder                | Cup \$4.95 | Bowl \$6.95 |
| » Sourdough Bread Bowl and Salad | \$13.95    |             |



**Salads**

- |   |  |
|---|--|
| » <b>Narrows House Salad &amp; Cup of Soup \$6.95</b> (Seafood Chowder add \$2.00)  | » <b>Seafood Cobb Salad \$15.95</b><br>Bay shrimp and crab replace chicken on our traditional Cobb Salad.  |
| » <b>Cobb Salad \$12.95</b><br>Diced grilled chicken, fresh greens with crumbled bacon, egg, diced tomato, avocado and Blue Cheese crumbles.  | » <b>Caesar Salad \$9.95</b><br>Crisp Romaine lettuce, garlic croutons, Parmesan cheese, and Caesar dressing. Add chicken, crispy calamari or bay shrimp. \$4.00     |
| » <b>Oriental Chicken Salad \$13.95</b><br>Marinated breast of chicken on a bed of greens with oriental noodles, green onion, mandarin oranges, sesame seeds, and special dressing. | » <b>Stuffed Avocados \$14.95</b><br>Two fresh avocado halves stuffed with bay shrimp salad and served with fresh fruit. Substitute Tuna Salad. \$11.95              |
| » <b>Black &amp; Blue Salad \$14.95</b><br>Blackened steak on a bed of lettuce with crumbled blue cheese. Choice of dressing. Add Garlic Toast \$1.50                               | » <b>Buffalo Chicken Salad \$12.95</b><br>Spicy buffalo chicken served on a bed of lettuce with blue cheese crumbles, egg, tomato and cucumbers. Choice of dressing. |
| » <b>Turkey Cranberry-Blue \$12.95</b><br>Turkey, Crasins, avocado and blue cheese with sugared pecans on crisp romaine with a hot bacon dressing.                                  |  |

**Burger Bar**

*Served with your choice of crispy fries, onion rings, soup, coleslaw or potato salad*  
(Substitute seafood chowder or salad \$2.00) (Split Plate \$2.00) (Chicken or Veggie burger add \$1.00)

- |  |  |
|--|--|
| » <b>Narrows Burger \$9.95</b> (voted best by our guests!)<br>1/3 pound big juicy char-broiled burger.<br>Add Cheese or Bacon 1.00 ea. or Avocado 1.50 | » <b>Mushroom Swiss Burger \$10.95</b><br>Piles of sauteed mushrooms and Swiss cheese atop our famous char-broiled burger.                   |
| » <b>Western Bacon Cheeseburger \$12.95</b><br>A 1/3 pound patty, 2 strips of bacon, melted Cheddar cheese, 2 crisp onion rings and tangy BBQ sauce.   | » <b>Hawaiian Burger \$12.95</b><br>Pineapple, Swiss cheese, ham and teriyaki sauce atop a char-broiled burger.<br>Add Grilled Onions .50 ea |
| » <b>Jalapeno Pepper Jack Burger \$10.95</b><br>Sliced jalapenos, pepper jack cheese, chipotle mayo on our luscious char-broiled burger.               | » <b>Guacamole Bacon Burger \$12.95</b><br>Zesty guacamole, bacon and Swiss cheese on our char-broiled burger.                               |
| » <b>Sweet Thai Chili Burger \$12.95</b><br>Sweet Thai chili sauce, sauteed onions, peppers and Swiss cheese on our char-broiled burger.               | » <b>Halibut Burger \$14.95</b><br>A generous filet of grilled "Alaskan" halibut with tartar sauce.  |
| » <b>Big Smoky \$12.95</b><br>Seasoned 1/3 pound patty, liquid smoke sauce, Canadian bacon and cheddar cheese.   | » <b>Salmon Burger \$14.95</b><br>Char-broiled "Wild Alaska King Salmon" served with dill ranch sauce, lettuce and tomato.                   |

**Beverages**

- » **Coffee \$1.50**    » **Milk \$2.50**    » **Raspberry or Lipton Iced Tea & Assorted Stash teas \$2.00**  
» **Hot Chocolate \$2.00**    » **Lemonade \$2.00**    » **Coke, Diet Coke, Sprite, Root Beer \$2.00**

Note: Eating undercooked meats or raw seafood may be detrimental to your health

- » Chef's Soup of the Day Cup \$2.95 Bowl \$4.95
- » Seafood Chowder Cup \$4.95 Bowl \$6.95
- » Sourdough Bread Bowl and Salad \$13.95
- » Narrows House Salad & Cup of Soup \$6.95 (Seafood Chowder add \$2.00)

## Baskets

All baskets served with crispy fries or onion rings and cole slaw

- » Zesty Chicken Tenders \$10.95
- » Calamari Basket with Garlic Aioli \$12.95
- » Halibut and Chips (4 pc.) \$17.95 (3 pc.) \$14.95 (2 pc.) \$12.95
- » King Salmon and Chips (4 pc.) \$14.95 (3 pc.) \$12.95 (2 pc.) \$10.95
- » Combo Salmon & Halibut 2+2 \$15.95
- » Hot Wings \$12.95
- » Popcorn Shrimp \$12.95

## Pastas

Pastas dishes served with garlic bread. Soup or salad may be ordered a la carte

### Seafood Linguini \$24.95

Scallops, shrimp, salmon and halibut seasoned and grilled.  
Served over linguini noodles, seasoned with wine and garlic butter sauce.

### Cajun Seafood Fettuccine \$24.95

Scallops, shrimp, salmon and halibut drenched in a Cajun cream sauce over a bed of fettuccine noodles.

### Mediterranean Pasta \$18.00

Chicken breast flavored with bacon, artichoke hearts and fresh rosemary in a light tomato wine sauce.  
Topped with feta and black olives. Served over your choice of penne, linguini or fettuccine noodles.

### Fettuccine Alfredo \$12.95

Fettuccine noodles in a light Alfredo sauce.

Add crispy calamari, Narrows smoked salmon, chicken or sauteed vegetables \$4.00

## Sandwich Bar

With crispy fries, onion rings, potato salad, mac salad or coleslaw. Substitute chowder or salad \$2. Split plate add \$2.

- » **Crab Melt \$14.95**  
Crab cakes open faced on a toasted English muffin with tomato slices and Cheddar cheese and garlic Aioli sauce.
- » **Chicken Club \$14.95**  
Grilled chicken and cheddar cheese on one layer. Lettuce, bacon, tomato and avocado on the next layer. Your choice of toasted bread.
- » **Grilled Reuben \$11.95**  
Corned beef, mild sauerkraut, Swiss cheese and Thousand Island dressing on Rye.
- » **Western Bacon Cheeseburger \$12.95**  
A 1/3 pound patty, 2 strips of bacon, melted Cheddar cheese, 2 crisp onion rings and tangy BBO sauce.  
Substitute chicken or veggie burger add \$1.00
- » **Big Smokey Cheeseburger \$12.95**  
Patty seasoned with smoky sauce, Canadian bacon, melted Cheddar cheese, chipotle mayo, tangy BBO sauce. Sauteed onions \$1  
Substitute chicken or veggie burger add \$1.00
- » **Clubhouse \$12.95**  
Traditional 3 layer sandwich with bacon, lettuce and tomato on one layer, ham and turkey on the next. Choice of bread. Add avocado \$1.50
- » **Bacon Cheddar French Dip \$12.95**  
Tender thinly sliced roast beef, bacon and Cheddar cheese on a french roll, with au jus.  
Plain \$9.95
- » **Halibut or Salmon Burger \$14.95**  
Fresh grilled or blackened halibut fillet or seasoned King salmon patty. Served on a bun with lettuce, tomato and dill tartar sauce.
- » **Narrows Burger \$9.95**  
1/3 pound beef patty, served with lettuce, tomato and dill pickle.  
Add Cheese or Bacon .75 ea. Avocado \$1.50  
Substitute chicken or veggie burger add \$1.00
- » **Jalapeno Burger \$10.95**  
Sliced jalapenos, pepper jack cheese, chipotle mayo on our luscious char-broiled burger.

## Sandwich Bar

*Served with your choice of crispy fries, onion rings, soup, coleslaw or potato salad  
(Substitute seafood chowder or salad \$2.00) (Split Plate \$2.00)*



- **Southwestern Grilled Turkey \$10.95**  
Turkey slices topped with sauteed peppers and onions, chipotle mayonnaise and pepper jack cheese, on grilled sourdough.
- **Clubhouse \$12.95**  
Traditional 3 layer sandwich with bacon, lettuce and tomato on one layer; ham and turkey on the next. Choice of bread or tortilla wrap.  
Add avocado \$1.50
- **Chicken Club \$14.95**  
Grilled Chicken and cheddar cheese on one layer. Lettuce, bacon, tomato and avocado on the next layer. Your choice of toasted bread.
- **Tuna Melt \$9.95**  
Tuna salad and melted cheddar cheese on grilled sourdough bread.
- **BBQ Chicken Wrap \$10.95**  
Chicken breast, cheddar cheese, lettuce, crispy tortilla strips and barbeque sauce wrapped in a tasty tortilla with ranch dressing.
- **Cup of Soup and Half Sandwich \$7.95**  
Half of a ham, turkey, corned beef, roast beef or tuna sandwich. Served with a cup of the soup of the day. Whole sandwich add \$ 2.00
- **Patty Melt \$10.95**  
Sauteed onions and choice of cheese atop our char-broiled burger patty on grilled rye bread.
- **Crab Melt \$14.95**  
Crab cakes open faced on a toasted English muffin with tomato slices and Cheddar cheese and garlic Aioli sauce.
- **Bacon Cheddar French Dip \$12.95**  
Tender thinly sliced roast beef, bacon and cheddar cheese on a french roll, with delicious au jus. Plain \$9.95
- **Veggie Wrap \$8.95**  
Swiss and cheddar cheeses, lettuce, tomato, bell peppers with mayonnaise wrapped in a tortilla.  
Add avocado \$1.50
- **Grilled Reuben \$11.95**  
Corned beef, mild sauerkraut, Swiss cheese and thousand island dressing piled on rye.
- **Traditional BLT or Wrap \$8.95**  
Bacon, lettuce, tomato, and mayonnaise on your choice of toasted bread or tortilla wrap.  
Add avocado \$1.50

## Baskets

All baskets served with crispy fries or onion rings and cole slaw.

- **Zesty Chicken Tenders \$10.95**
- **Calamari with Garlic Aioli \$12.95**
- **Halibut and Chips (4 pc.) \$17.95**
- **(3 pc.) \$14.95**
- **(2 pc.) \$12.95**
- **Hot Wings \$10.95**
- **Popcorn Shrimp \$12.95**

## House Favorites

- **Wild Alaska King Salmon or Halibut \$17.95**  
Alaska's finest served with pasta in garlic butter sauce with garlic bread.
- **Narrows Rice Bowl \$12.95**  
Choice of **sweet and sour** or **teriyaki** sauce served over grilled chicken & vegetables on jasmine rice.
- **Chicken Penne Pasta \$13.95**  
Grilled breast of chicken served on penne pasta with sun-dried tomatoes, garlic cream sauce and Parmesan cheese.

## Sides

- **Crispy Fries \$3.95** Add Cheese \$1.50
- **Potato Salad \$3.95**
- **Onion Rings \$4.50**
- **Cole Slaw \$3.95**

## Desserts

- **Chocolate Thunder Cake \$6.00**
- **Carrot Cake \$5.50**
- **Mud Pie \$ 6.50**
- **Cheese Cake \$ 7.00** (Add Strawberries 1.00)  
Cheese Cake Factory.. New York Style

Note: Eating undercooked meats or raw seafood may be detrimental to your health

## BREAKFAST MENU

### ☞ Breakfast Express \$6.95

Scrambled egg, bacon or link sausage, toast. Or **Breakfast Sandwich**. Sausage patty, egg and cheese on a biscuit or English muffin. **Either with hash browns.**

### ☞ Chicken Fried Steak and Eggs \$14.95

Chicken fried steak with country gravy, two eggs, toast, and hash browns.

### ☞ Full Breakfast \$10.95

Two eggs, choice of ham, bacon, patty or link sausage, hash browns and toast.

### ☞ Breakfast Burrito \$10.95

Scrambled eggs, peppers, onions, cheese, salsa and our own chorizo, rolled in a tortilla, with hash browns.

### ☞ Spanish Omelet \$12.95

Jalapenos, tomatoes, onions, bell peppers, black olives, and cheddar cheese folded into a fluffy 3 egg omelet with pepper jack cheese on top. Served with hash brown, toast and salsa. Add avocado \$1.50

### ☞ Denver Omelet \$12.95

Diced ham, green peppers, onions and cheddar cheese folded into a fluffy 3 egg omelet.

### ☞ Deck Hand Special \$12.95

Two eggs, ham, bacon, link or patty sausage, two pancakes and hash browns.

### ☞ French Toast Sticks and Eggs \$7.95

Crispy french toast sticks, choice of syrups, two eggs your style, and hash browns.

### ☞ Homemade Biscuits and Gravy \$10.95

Fluffy biscuits topped with our creamy sausage gravy and hash browns. 1/2 order \$7.95

### ☞ Eggs Benedict \$11.95 1/2 order \$8.95

2 poached eggs and Canadian bacon on a grilled English muffin, topped with Hollandaise sauce and hash browns.

### ☞ Huevos Rancheros \$11.95

Cheddar cheese topping 2 eggs over easy on our own homemade chorizo, refried beans, on tortilla. Salsa on the side. Avocado or Guacamole \$1.00

### ☞ Seafood Omelet \$15.95

Bay shrimp, crab, halibut and cream cheese folded into a fluffy 3 egg omelet. Topped with Hollandaise sauce. Served with hash brown

### ☞ Swedish Pancakes \$6.95 1/2 order \$4.95

Sweet, thin, rolled pancakes dusted with powdered sugar. Served with Lingonberry butter and syrup.

### ☞ French Toast \$7.95

Egg bread, dipped in our special batter and grilled golden brown

### ☞ Buttermilk Pancakes

**Full Stack \$6.95 Short Stack \$4.95**

Fluffy homemade buttermilk pancakes. (Strawberries & Whipped cream \$2.00)

### ☞ Dutch Baby \$4.95

Puffy baked pancake served with powdered sugar, berries, and syrup

### ☞ Oatmeal Pancakes

**Full Stack \$6.95 Short Stack \$4.95**  
Apple cinnamon or maple/brown sugar

### ☞ Mashed Potato Pancakes \$7.95

Crispy on the outside, fluffy on the inside  
Served with applesauce and sour cream

### ☞ Belgian Waffle \$5.95

(Strawberries & Whipped cream \$2.00)

### ☞ Cheese Blintz \$6.95

3 blintzes with cherry or strawberry sauce

### SIDE ORDERS

Bacon \$3.50 Patty or Link Sausage \$3.50 Ham \$3.50  
2 Eggs \$2.95 Hash Browns \$3.50 Mashed Potato Pancake \$3.50  
Oatmeal \$3.50 Toast or English muffin \$2.50

### Beverages

Coffee \$1.50 Tea- Assorted Stash teas \$2.00 Hot Chocolate \$2.00  
Milk- 2 % \$2.50 Juices- Orange, Red Grapefruit, Apple, Cranberry or Tomato \$2.50

Note: Eating undercooked meats or raw seafood may be detrimental to your health

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# Entree

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Served with your choice of Roasted Rosemary Red Potatoes, Baked Potato, Mashed Potatoes, Pasta, Rice Pilaf, Onion Rings or Crispy Fries *Twice Baked Potato add \$2.50*

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## Skipper's Choice

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➤ **Alaska Halibut \$26.95**

Fresh Alaskan halibut, cedar planked, char-broiled, blackened, poached, or baked with our heavenly parmesan crust.

➤ **Wild Alaska King Salmon \$24.95**

Alaska's finest salmon; red or white king. (limited availability) Cedar planked, blackened, grilled, pan fried, poached or baked with a heavenly parmesan crust.

➤ **Coffman Cove Oyster Dinner \$26.95**

Pan fried, on the half shell, bacon wrapped or baked in cream with buttered panko crumb topping.

➤ **Crab Stuffed Halibut \$28.95**

Baked halibut stuffed with crab. Topped with Hollandaise sauce.

➤ **Crab Stuffed Prawns \$26.95**

Large prawns stuffed with crab meat. Deep fried in tempura batter.

➤ **Jalapeno Bacon Wrapped Prawns \$21.95**

Jalapeno, sundried tomato, basil, cream cheese stuffed in prawns and double wrapped in bacon.

**Tackle Box \$27.95**

A great combination of our best. Jumbo prawns, tender bay scallops, wild Alaskan salmon, and Alaskan halibut. Choice of cedar planked, sauteed in garlic, butter and white wine or tempura battered and deep fried or baked with a heavenly parmesan crust.

Soup or salad available a la carte.

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## Beef Classics

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"We Proudly Serve Prime Angus Beef"

➤ **Ribeye Steak \$27.95**

Tender and Flavorful.

➤ **Narrows Sirloin \$24.95**

Ball Tip Sirloin

➤ **Prime Rib**

Tender, slow roasted Angus with au jus or blackened  
Narrows Cut \$30.95 Petite Cut \$27.95

*Add to any Steak*

*Oysters \$2.75 ea Bacon Wrapped Crab Stuffed Prawns \$5.00 each*

*King Crab leg market price per lb.*

*Bacon Wrapped Oysters \$3.25 ea*

*Bacon Wrapped Scallops \$3.25 ea*

*Coconut Prawn \$3.00 ea*

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## House Favorites

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➤ **Chicken Cordon Blue \$25.95**

Chicken breast filled with thin sliced ham and swiss cheese. Rolled in panko and deep fried. Served with our hollandaise.

➤ **Artichoke and Crab Stuffed Chicken Piccata \$25.95**

Breast of chicken stuffed with artichoke and crab, topped with a light wine, lemon and caper sauce. Served with Jasmine rice and fresh vegetables.

➤ **Cajun Jambalaya \$18.00**

Spicy combination of ham, sausage, chicken, shrimp, and clams in a classic rice, onion, garlic, and peppers dish. Served with garlic toast.

➤ **Narrows Rice Bowl \$15.95**

Choice of **sweet and sour** or **teriyaki sauce** over grilled chicken and vegetables, served on Jasmine rice.  
**Add shrimp \$5.00**

➤ **Double Smoked Ribs \$18.00**

Served dry with barbeque sauce and your choice of two sides and garlic toast.

➤ **Parmesan Crusted Chicken \$21.95**

Chicken breast topped with our parmesan coating and baked to golden perfection. Served with vegetable medley and your choice of starch.

The Narrows is pleased to split any entree for a \$5.00 plate charge. Soup or salad may be ordered a la carte.

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Note: Eating uncooked meats or raw seafood may be detrimental to your health

Tab

**30**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7<sup>th</sup> Avenue, Ste 1600  
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: Saturday, June 20, 2015

FROM: Cynthia Franklin  
Director

RE: Consent Agenda

**416 2 Go Tesoro: AK, Inc.**  
3600 E Palmer-Wasilla Highway; Mat-Su Borough  
**License: Package Store**  
From: Tesoro Northstore Company

**Transfer of ownership.** All statutory requirements have been met.  
Local governing body action: Matanuska-Susitna Borough does not protest  
Approvals: Department of Labor, Department of Revenue  
Background investigations: Complete

**5383 Acapulco Mexican Restaurant: Juan A Rodriguez**  
43543 Sterling Highway; Soldotna  
**License: Restaurant / Eating Place – Public Convenience**

**New license application.** All statutory requirements have been met.  
Local governing body action: City of Soldotna does not protest  
Approvals: Department of Environmental Conservation  
Background investigations: Complete  
Temporary has been issued.

**5389 Brickhouse Asian Grill:** John K Yee  
3311 Spenard Road; Anchorage  
**License: Restaurant / Eating Place**

**New license application.** All statutory requirements have been met.  
Local governing body action: Municipality of Anchorage does not protest  
Background investigations: Complete  
Temporary has been issued.

**5394 Celebrity Infinity:** Celebrity Cruises, Inc.  
Alaskan Waters  
**License: Common Carrier**

**New license application.** All statutory requirements have been met.  
Background investigations: Complete  
Temporary has been issued.

**5380 Crazy Cow Caribbean Grill:** Elvis M Rodriguez-Cordero  
171 Muldoon Road, Ste 107; Anchorage  
**License: Restaurant / Eating Place**

**New license application.** All statutory requirements have been met.  
Local governing body action: Municipality of Anchorage does not protest  
Background investigations: Complete  
Temporary has been issued.

**5396 Double Eagle Restaurant:** Fairbanks Golf Course, Inc.  
1735 Farmer's Loop Road; Fairbanks North Star Borough  
**License: Golf Course**

**New license application.** All statutory requirements have been met.  
Local governing body action: Fairbanks North Star Borough does not protest  
Approvals: State Fire Marshal, Department of Environmental Conservation  
Background investigations: Complete  
Temporary has been issued.

**5395 Jewel of the Seas:** Royal Caribbean Cruises, Ltd.  
Alaskan Waters  
**License: Common Carrier**

**New license application.** All statutory requirements have been met.  
Background investigations: Complete  
Temporary has been issued.

**3399 Joan Mei Family Restaurant:** Joan Mei Family Restaurant, LLC  
1103 S Nordic Drive; Petersburg  
**License: Restaurant / Eating Place**  
From: Joan Mei Partnership

**Transfer of ownership.** All statutory requirements have been met.  
Local governing body action: City & Borough of Petersburg does not protest  
Approvals: Department of Labor, Department of Revenue  
Background investigations: Complete

**2124 Los Amigos:** 636, LLC  
636 28<sup>th</sup> Avenue (Upstairs); Fairbanks  
**License: Beverage Dispensary**  
From: Two Amigos, LLC

**Transfer of ownership.** All statutory requirements have been met.  
Local governing body action: City of Fairbanks does not protest  
Approvals: Department of Labor, Department of Revenue  
Background investigations: Complete

**5405 M/V L'Austral:** Compagnie du Ponant, SAS  
Alaskan Waters  
**License: Common Carrier**

**New license application.** All statutory requirements have been met.  
Background investigations: Complete  
Temporary has been issued.

**5382 Odd Man Rush Brewing:** Odd Man Rush Brewing, LLC  
10930 Mausel Street; Anchorage  
**License: Brewery**

**New license application.** All statutory requirements have been met.  
Local governing body action: Municipality of Anchorage does not protest  
Background investigations: Complete  
Temporary has been issued.

**3315 Old Town Liquor:** Old Town Liquor, LLC  
607 Mission Street, Ste 101; Ketchikan  
**License: Package Store**  
From: 602 Dock Street

**Transfer of location.** All statutory requirements have been met.  
Local governing body action: City of Ketchikan does not protest  
Background investigations: Complete  
Temporary has been issued.

**1019 Seldovia Liquor Store:** Seldovia Sales, LLC  
275 Main Street; Seldovia  
**License: Package Store**  
From: Seldovia Native Association, Inc.; 281 Main Street

**Transfer of ownership and location.** All statutory requirements have been met.  
Local governing body action: City of Seldovia does not protest  
Approvals: State Fire Marshal, Department of Labor, Department of Revenue  
Background investigations: Complete

**5400 The Cookery:** The Cookery, LLC  
209 & 211 5<sup>th</sup> Avenue; Seward  
**License: Restaurant / Eating Place – Public Convenience**

**New license application.** All statutory requirements have been met.  
Local governing body action: City of Seward does not protest  
Approvals: Department of Environmental Conservation  
Background investigations: Complete  
Temporary has been issued.

**5399 The Sea Bean:** The Sea Bean, LLC  
225 Fourth Avenue; Seward  
**License: Restaurant / Eating Place – Public Convenience**

**New license application.** All statutory requirements have been met.  
Local governing body action: City of Seward does not protest  
Approvals: Department of Environmental Conservation  
Background investigations: Complete  
Temporary has been issued.

**4535 TJ Seggy's: TLS, Inc.**

20470 Sterling Highway; Kenai Peninsula Borough

**License: Package Store**

From: Terri Segesser (55%) and John Segesser (45%)

To: Terri Segesser (50%) and John Segesser (50%)

**Transfer of controlling interest.** All statutory requirements have been met.

Local governing body action: Kenai Peninsula Borough does not protest

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

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## MEMORANDUM

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

DATE: Saturday, June 20, 2015

FROM: Cynthia Franklin  
Director

RE: Delegated Consent Agenda

**5409 Alaska Coffee Roasting Co.: Alaska Sea Charter, Inc.**

4001 Geist Road, Ste 2; Anchorage

**License: Restaurant / Eating Place**

**New license application.** All statutory requirements have been met.

Local governing body action: Pending Fairbanks North Star Borough

Approvals: Department of Environmental Conservation

Pending: State Fire Marshal

Background investigations: Pending

**5387 Denali Brewing Company: Twister Creek, LLC**

37083 South Talkeetna Spur Road; Mat-Su Borough

**License: Distillery**

**New license application.** All statutory requirements have been met.

Local governing body action: Matanuska-Susitna Borough does not protest

Pending: State Fire Marshal, Department of Environmental Conservation

Background investigations: Complete

**3596 Eddie's Sports Bar:** Rockdance, Inc.  
3600 Old Seward Highway; Anchorage  
**License: Beverage Dispensary**  
From: Edward Mike James (50%) and Patricia Ann James (50%)  
To: Timothy Dudley (48%) and Darolyn Raskin (48%)

**Transfer of controlling interest.** All statutory requirements have been met.  
Local governing body action: Pending Municipality of Anchorage  
Approvals: Department of Labor, Department of Revenue  
Background investigations: Pending

**4317 Eddie's Sports Bar:** Rockdance, Inc.  
6300 Old Seward Highway; Anchorage  
**License: Beverage Dispensary – Duplicate**  
From: Edward Mike James (50%) and Patricia Ann James (50%)  
To: Timothy Dudley (48%) and Darolyn Raskin (48%)

**Transfer of controlling interest.** All statutory requirements have been met.  
Local governing body action: Pending Municipality of Anchorage  
Approvals: Department of Labor, Department of Revenue  
Background investigations: Pending

**3882 Haines Brewing Company:** Haines Brewing Company, Inc.  
327 Main Street; Haines  
**License: Brewery**  
From: 108 Whitefang Way

**Transfer of location.** All statutory requirements have been met.  
Local governing body action: City & Borough of Haines does not protest  
Approvals: Department of Environmental Conservation  
Pending: State Fire Marshal  
Background investigations: Complete

**5392 Inga's Galley:** AK Inga's Galley, LLC  
104 N Nordic Drive; Petersburg  
**License: Restaurant / Eating Place**

**New license application.** All statutory requirements have been met.  
Local governing body action: Pending City & Borough of Petersburg  
Pending: Department of Environmental Conservation  
Background investigations: Complete

**5182 Port Chilkoot Distillery:** Port Chilkoot Distillery, LLC

34 Blacksmith Street; Haines

**License: Distillery**

From: Sean Copeland (50%) and Heather Shade (50%)

To: Sean Copeland (25%) and Heather Shade (75%)

**Transfer of controlling interest.** All statutory requirements have been met.

Local governing body action: Pending City & Borough of Haines

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

**5283 Shobu:** Young Chul Kim

351 Muldoon Road, Ste C; Anchorage

**License: Restaurant / Eating Place**

From: 2210 E Northern Lights Blvd, Ste 110; DBA Tempura Inn

**Transfer of location and DBA change.** All statutory requirements have been met.

Local governing body action: Pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

**3198 The Marlin:** Full Moon, Inc.

3412 College Road; Fairbanks North Star Borough

**License: Beverage Dispensary**

From: Sharon Mensik (50%) and Rick Mensik (50%) to Rick Mensik (100%)

**Transfer of controlling interest.** All statutory requirements have been met.

Local governing body action: Fairbanks North Star Borough does not protest

Pending: Department of Labor, Department of Revenue

Background investigations: Complete

**1038 The Wheelhouse:** Johnson Inn Valdez, LLC

100 Harbor Drive; Valdez

**License: Beverage Dispensary**

From: Kodiak Inn, Inc.

**Transfer of ownership.** All statutory requirements have been met.

Local governing body action: Pending City of Valdez

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

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## Waiver of Operation Application

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License Information		Fees*	
Liquor License Number: 4292		Waiver Fee	\$ 625.00
License Type: BEVERAGE DISPENSARY		Penalty (If applicable)	\$ 0
Local Governing Body: (City, Borough or Unorganized) DELTA JUNCTION/FAIRBANKS		Total Submitted	\$625.00
Name of Licensee: KEVIN EWING <i>Clearwater Ventures, Inc.</i>		*The fee is non-refundable	
Doing Business As (Business Name) CLEARWATER VENTURES <i>Lodge</i>		Telephone Number: 907-347-4901	
Mailing Address: PO BOX	Street Address or Location of Business 7028 REMINGTON ROAD		
	City: DELTA JUNCTION ALASKA		

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 <sup>st</sup> Request <input type="checkbox"/> 2 <sup>nd</sup> Request <input type="checkbox"/> 3 <sup>rd</sup> Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p><b>Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.</b></p> <p><b>THE CLEARWATER LODGE WAS DESTROYED BY ARSON MAY 15, 2014.          THE LODGE IS IN THE PROCESS OF BEING REBUILT.          A REQUEST FOR A SESONAL LICENSE HAS BEEN SENT TO JANE SAWYER PER REQUEST BY          CINDY FRANKLIN AND SARAH OATES. (THESE DATES WILL BE JUNE-NOVEMBER 2015.</b></p>	

Signature of Licensee(s)	
Signature <i>Kevin Ewing</i>	Signature
Name (Please Print) KEVIN EWING	Name (Please Print)
Date 5/20/2015	Date