



## MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverages Control Board      DATE: September 13, 2017

FROM: Erika McConnell, Director      RE: Notices of Violation

Between the July board meeting and this one, nine NOVs have been issued as summarized below:

- AB17-0318 to Fraternal Order of Eagles Aerie #162 (#338), a club license, for violation of restrictions on their license type—namely soliciting public patronage (AS 04.11.110)
- AB17-0357 to The North West Company Inc. (#1948), a package store, for having several workers without valid server education cards (AS 04.21.025)
- AB17-0305 to Double Shovel Cider Company, LLC (#5427), a winery, for allowing what appears to be and is suggested in the photo caption to be two glasses of alcoholic beverages outside of the licensed premises (AS 04.16.120)
- AB17-0377 to Kodiak Island Brewing Company, LLC (#4259), a brewery, for an advertisement for free beer (AS 04.16.015).

*The licensee's response displays a lack of knowledge and/or understanding of the governing statutes that is concerning.*

- AB17-0362 to Craig Lodge #1206 (#746), a club license, for violation of restrictions on their license type—namely soliciting public patronage (AS 04.11.110).
- AB17-0300 to Old Timers, Inc. (#866), a beverage dispensary, for prohibited conduct relating to a drunken person (AS 04.16.030).
- AB17-0252 to Latin Connection Entertainment LLC (#4353), a beverage dispensary, for multiple violations: expired server education cards (AS 04.21.025); denying access to law enforcement (AS 04.11.630); awareness of possible marijuana use on the premises (AS 04.16.150); lack of workers' compensation insurance (AS 04.21.030); minors on the premises (AS 04.16.052).

*The licensee indicates that this business is no longer operating and that he does not intend to open again. Should the licensee begin operating this license in its current location or request a transfer of location, I recommend the board have a serious conversation with him regarding compliance with alcohol statutes and regulations.*

- AB17-0312 to Greatland River Tours Inc. (#4122), a common carrier – seasonal, for violations of conditions placed on their license. (AS 04.11.395).

# Notice of Violation

(3AAC 304.525)

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

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

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

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

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

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

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

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

Issuing Investigator:

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA:

Date:

FRATERNAL ORDER OF EAGLES  
KETCHIKAN AERIE #162 INC.  
P.O. BOX 8162  
KETCHIKAN, ALASKA 99901

**116 Years**

**"People Helping People"**

Phone: (907) 225-5162

Fax: (907) 247-5162

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
AMCO Case AB17000318 License #338

Sir:

This is in response to your letter of 07/26/2017.

What happened was that the person responsible for making the sign decided that it would be "improved" by adding the "everybody welcome". The trustees did not approve of the change or know about it in advance.

Be assured it will not happen again.

Sincerely,



Don Moore

Secretary

# Notice of Violation

(3AAC 304.525)

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

Date: 8-15-17

License #/Type: Lic 1948 / Package Store

Licensee: the North West Company Inc.

Address: 1310 Craig Klawock Hwy

DBA: Alaska Commercial Company

AMCO Case #: AB17-0357

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

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

On 8-10-17 an inspection was conducted at your establishment. Clerk Melanie Martin was asked to provide proof of server education. Martin provided an expired TAP card #129861, 6-10-17. Asst Mgr Emmitt Melton was also asked to provide proof of server education to which he replied he had it at one time but it had expired. This is a violation of Title IV. Clerk Regina Marinese was pulled from the grocery side of the store to assist in the liquor store. She had a valid TAP card #136808, expiring 3-5-18.

Your attention is directed to AS04.21.025: Alcohol server education, AS04.16.150: License responsible for violations and AS04.21.030: Responsibilities of licensees, agents, and employees

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

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

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

Issuing Investigator: J. Hamilton

Received by: W. PICKETT

SIGNATURE:

SIGNATURE: 

Delivered VIA: Mail

Date: 08/15/2017



Walter Pickett, General Manager  
Alaska Commercial Company  
3830 Old International Airport Road  
Anchorage, AK 99502

August 17, 2017

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

To Whom It May Concern,

With regard to case number AB17-0357, license #1948, all store staff working in the liquor store are now current with their TAP certification, including Ms. Melonie Martin and Mr. Emmett Melton.

With regard to further certification lapses, the following standard operating practice has been instituted; quarterly review of current employees TAP expiration dates for the upcoming three months. Any staff whose TAP card expires within the next three months will be required to renew their TAP card on or before their current card expires. Adherence to this practice will eliminate future violations of this type.

Respectfully,

Walter Pickett  
General Manager



# Notice of Violation

(3AAC 304.525)

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

Date: 7/19/17

License #/Type: Winery / 5427

Licensee: Double Shovel Cider Company, LLC

Address: 502 W 58th Ave. C & D

DBA: Double Shovel Cider Company

AMCO Case #: AB17-0305

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

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

On 07/18/17 Double Shovel Cider Company posted a photo on Facebook advertising their cider and the Anchor Town Dogs food cart outside of their licensed premises. The photo shows at least two glasses of what appears to be Double Shovel cider outside of the licensed premises, which can be seen in the background. During a recent inspection of the facilities I observed multiple signs inside the premises with warnings that stated, in essence, no cider beyond this point or outside.

This is a violation of the following Alaska Statutes: AS 04.16.120 Removal or Introduction of Alcoholic Beverages, AS 04.16.150 Licensee Responsible for Violations and AS 04.21.030 Responsibility of Licensee, Agents and Employees.

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

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

Issuing Investigator: J. Bankowski

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Email

Date:



**Double Shovel Cider Company**

4 hrs

Although it doesn't feel like it outside, summer is still happening inside the taproom tonight. With pineapple and grapefruit cider on tap and @anchortowndogs posted up outside, you will feel like you're at a summer BBQ!

#doubleshovelsiderco #hardcider #craftcider #alaskalocal #madeinalaska #ak #anchorage #alaska #drinklocal #localcider #drinklocalcider #supportlocal #somito



15

1 Share

**Bankowski, Joe (CED)**

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**From:** galen.jones@doubleshovelcider.com  
**Sent:** Wednesday, July 19, 2017 9:12 AM  
**To:** Bankowski, Joe (CED)  
**Subject:** Re: Notice of Violation

Hi Joe,

Please give me a call when you have a chance on my cell phone which is listed below. I'd like to explain the situation.

Thank you,

Galen Jones, P.E.  
Co-Owner / Co-Founder  
**Double Shovel Cider Co.**  
[www.doubleshovelcider.co](http://www.doubleshovelcider.co)  
[907-227-9849](tel:907-227-9849)

On Jul 19, 2017, at 9:02 AM, Bankowski, Joe (CED) <[joe.bankowski@alaska.gov](mailto:joe.bankowski@alaska.gov)> wrote:

Good Morning,

Please see attached Notice of Violation.

<image001.png>

**Joe Bankowski**  
**Special Investigator I**  
**Enforcement Unit**  
**Alcohol & Marijuana Control Office**  
550 W 7<sup>th</sup> Ave  
Anchorage, AK 99501  
Office (907) 269-0355  
Cell (907) 782-7909  
[joe.bankowski@alaska.gov](mailto:joe.bankowski@alaska.gov)

<NOV\_DSCC071917.pdf>

**From:** [Bankowski, Joe \(CED\)](#)  
**To:** [Hoelscher, James C \(CED\)](#)  
**Subject:** FW: Notice of Violation  
**Date:** Thursday, August 31, 2017 7:49:21 AM

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**From:** galen.jones@doubleshovelsider.com [mailto:galen.jones@doubleshovelsider.com]  
**Sent:** Wednesday, August 30, 2017 4:55 PM  
**To:** Bankowski, Joe (CED) <joe.bankowski@alaska.gov>  
**Subject:** Re: Notice of Violation

Hi Joe,

Thanks for giving me a chance to explain the alleged violation.

The drink in the photo is not hard cider, it's Kombucha tea which we offer on draft. I did not pour the drink, but my bartender and the food cart person (holding drink in photo) informed me it was kombucha. There were signs up at the time the photo was taken informing customers that no cider is allowed outside.

I know the post is ambiguous because of the hash tags, but those are the same hashtags we use on every post because of the nature of our business regardless of content. They are never intended to necessarily describe the content of the photos.

I did not post this picture myself, rather an employee did. I would not have allowed such ambiguity and have since required approval for all photos before posted. I've also trained my staff in the rules so they know what's allowed.

We have since been approved for an outdoor drinking area where his photo was taken so this type of ambiguity cannot happen again.

Thanks for your help in alerting me to the uncertainty of the photo so I can take it down. This will not happen again.

Cheers,

Galen Jones  
Co-Owner  
Double Shovel Cider Co  
907-227-9859

On Aug 30, 2017, at 10:17 AM, Bankowski, Joe (CED) <[joe.bankowski@alaska.gov](mailto:joe.bankowski@alaska.gov)> wrote:

Good Morning Galen,

I was reviewing this NOV and noticed that I do not have a written response in my inbox or the enforcement email inbox. I know we spoke about this issue on the phone but I asked that you follow-up with a written response as well in order to formally document your reply. If you did in fact send something to myself or someone else I apologize as it must have been missed somewhere along the line.

Please send a reply by the close of business today in order for the response to be included in the ABC board packet.

Thank you

<image001.png>

**Joe Bankowski**  
**Special Investigator I**  
**Enforcement Unit**  
**Alcohol & Marijuana Control Office**  
550 W 7<sup>th</sup> Ave  
Anchorage, AK 99501  
Office (907) 269-0355  
Cell (907) 782-7909  
[joe.bankowski@alaska.gov](mailto:joe.bankowski@alaska.gov)

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**From:** [galen.jones@doubleshovelsider.com](mailto:galen.jones@doubleshovelsider.com) [mailto:[galen.jones@doubleshovelsider.com](mailto:galen.jones@doubleshovelsider.com)]

**Sent:** Wednesday, July 19, 2017 9:12 AM

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

**Subject:** Re: Notice of Violation

Hi Joe,

Please give me a call when you have a chance on my cell phone which is listed below. I'd like to explain the situation.

Thank you,

Galen Jones, P.E.

Co-Owner / Co-Founder

**Double Shovel Cider Co.**

[www.doubleshovelsider.co](http://www.doubleshovelsider.co)

[907-227-9849](tel:907-227-9849)

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**Joe Bankowski**  
**Special Investigator I**  
**Enforcement Unit**  
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550 W 7<sup>th</sup> Ave  
Anchorage, AK 99501  
Office (907) 269-0355  
Cell (907) 782-7909  
[joe.bankowski@alaska.gov](mailto:joe.bankowski@alaska.gov)

<NOV\_DSCC071917.pdf>

# Notice of Violation

(3AAC 304.525)

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

Date: 8-28-17

License #/Type: Brewery / #4259

Licensee: Kodiak Island Brewing Co., LLC

Address: 117 Lower Mill Bay Road, Kodiak, 99615

DBA: Kodiak Island Brewing Co.

AMCO Case #: AB17-0377

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.**

It has been brought to the attention of ACMO Investigators that you had an advertisement called Run for Beer. The event was to begin on August 24th at your establishment. When reading about the event, it in part says, "....the full marathon distance and get a free beer!." This is a violation of Title IV.

Your attention is referred to AS 04.16.015: Pricing and marketing

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 5965



**Pam Foreman** Friends of Kodiak

2 hrs · 📷

It's a trifecta night! Go for a run, register early for Run the Rock and quench your thirst!

**08.24.17**

OCT. 14 2017

run the Rock

Marathon / Half Marathon / 10k / 5k

Kodiak Island Brewing Co.

ALASKA

**Run for Beer**

6pm @ Kodiak Island Brewery

**ABOUT THE EVENT**

Join in on a short run that starts and ends at Kodiak Island Brewery on Thursday August 24. Then sign up for any Run the Rock events - 5k, 10k, half marathon or even the full marathon distance and get a free beer! Come join us and meet other runners that will be running!

## Hamilton, Joe (CED)

---

**From:** Ben Millstein <bmills@ak.net>  
**Sent:** Monday, August 28, 2017 10:09 AM  
**To:** Hamilton, Joe (CED)  
**Subject:** Re: Emailing - Kodiak Island, lic 4259, NOV.pdf

This chain is fine with me if it's fine with you. But I still don't quite know my culpability. It wasn't my promotion. I get it if it's not ok, and we can't do that in the future, I just think it's a little bit of a grey area and I hope I'm not getting in trouble over it.

Ben Millstein  
Kodiak Island Brewing  
[www.kodiakbrewery.com](http://www.kodiakbrewery.com)  
907\*486\*ALES (2537)  
Beer is Art, and the Palate is Yours.

On 8/28/2017 10:02 AM, Hamilton, Joe (CED) wrote:

Some people text replies others do it in a letter.

Sent from my iPhone

On 28 Aug 2017, at 09:48, Ben Millstein <[bmills@ak.net](mailto:bmills@ak.net)> wrote:

You're the expert. How do you want to do it?

Ben Millstein  
Kodiak Island Brewing  
[www.kodiakbrewery.com](http://www.kodiakbrewery.com)  
907\*486\*ALES (2537)  
Beer is Art, and the Palate is Yours.

On 8/28/2017 9:31 AM, Hamilton, Joe (CED) wrote:

You are on a flyer advertising your business knowing it said free beer, but choosing to not correct them. Do you want this string of emails to act as your response for the event that was held at your establishment.

<image001.png>

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

**From:** Ben Millstein [<mailto:bmills@ak.net>]  
**Sent:** Monday, August 28, 2017 9:09 AM

To: Hamilton, Joe (CED) <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)>  
Subject: Re: Emailing - Kodiak Island, lic 4259, NOV.pdf

I didn't actually go to them, they came to me to ask if they could headquarter here for their run and marathon sign up. I didn't pay them, nor was I involved in the event.

Ben Millstein  
Kodiak Island Brewing  
[www.kodiakbrewery.com](http://www.kodiakbrewery.com)  
907\*486\*ALES (2537)  
Beer is Art, and the Palate is Yours.

On 8/28/2017 9:02 AM, Hamilton, Joe (CED) wrote:

I think once you went to the radio station and teamed up with them, they became an agent for you or if you paid them, an employee. And you reviewing it and not telling him to reword or remove the word free makes you complicit.

Do you want me to put this as a reply into your NOV?

Joe

AS 04.16.015. Pricing and Marketing of Alcoholic Beverages.

**(a) On premises where alcoholic beverages are sold by the drink, a licensee or a licensee's agent or employee may not**

**(1) offer or deliver, as a marketing device to the general public, free alcoholic beverages to a patron;**

(2) deliver an alcoholic beverage to a person already possessing two or more;

(3) sell, offer to sell or deliver alcoholic beverages to a person or group of persons at a price less than the price regularly charged for the beverages during the same calendar week, except at private functions not open to the general public;

(4) sell, offer to sell, or deliver an unlimited number of alcoholic beverages to a person or group of persons during a set period of time for a fixed price;

(5) sell, offer to sell, or deliver alcoholic beverages to a person or group of persons on any one day at prices less than those charged the general public on that day,

except at private functions not open to the general public;

(6) encourage or permit an organized game or contest on the licensed premises that involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes.

**(b) A licensee or a licensee's agent or employee may not advertise or promote in any way, either on or off the premises, a practice prohibited under (a) of this section.**

(c) This section may not be construed as prohibiting a licensee or a licensee's agent or employee from offering free food or entertainment at any time, from serving wine by the bottle or carafe or beer by the pitcher with or without meals, or from including an alcoholic beverage as part of a meal package.

(d) Notwithstanding (a) and (b) of this section, a licensee or a licensee's agent or employee when acting as a caterer may offer or deliver free alcoholic beverages to a political, charitable, or educational group or organization.

<image001.png>

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

**From:** Ben Millstein [<mailto:bmills@ak.net>]  
**Sent:** Monday, August 28, 2017 8:58 AM  
**To:** Hamilton, Joe (CED) <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)>  
**Subject:** Re: Emailing - Kodiak Island, lic 4259, NOV.pdf

Yes but I didn't produce it. I didn't think about the restriction because I wasn't offering the beer.

Ben Millstein  
Kodiak Island Brewing  
[www.kodiakbrewery.com](http://www.kodiakbrewery.com)  
907\*486\*ALES (2537)

Beer is Art, and the Palate is Yours.

On 8/28/2017 8:51 AM, Hamilton, Joe (CED) wrote:

Did you see the ad?

<image001.png>

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

**From:** Ben Millstein  
[\[mailto:bmills@ak.net\]](mailto:bmills@ak.net)  
**Sent:** Monday, August 28, 2017 8:53 AM  
**To:** Hamilton, Joe (CED)  
[<joe.hamilton@alaska.gov>](mailto:joe.hamilton@alaska.gov)  
**Subject:** Re: Emailing - Kodiak Island, lic 4259, NOV.pdf

Hi Joe,

This was not actually a brewery ad. It was a KMXT ad. I didn't give any beer away. They bought beer tokens and gave them out to their participants.

Ben Millstein  
Kodiak Island Brewing  
[www.kodiakbrewery.com](http://www.kodiakbrewery.com)  
907\*486\*ALES (2537)  
Beer is Art, and the Palate is Yours.

On 8/28/2017 8:44 AM, Hamilton, Joe (CED) wrote:

Please follow the instruction w/in the notice of violation. Hard card will be sent USPS.

<image001.png>

**Joe Hamilton**  
**Special Investigator 1**  
**Enforcement Unit**

**Alcohol & Marijuana Control Office**

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

Anchorage, AK 99501

Office (907) 269-0063

Cell (907) 441-2534

[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)

# Notice of Violation

(3AAC 304.525)

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

Date: 8-15-17

License #/Type: Lic #746 / Club License

Licensee: Craig Lodge #1206

Address: 601 Water Street, PO Box 113, Craig, AK

DBA: Loyal Order of Moose #1206

AMCO Case #: AB17-0362

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

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

On 8-10-17, an inspection was conducted at your establishment. Observed was a sign outside the establishment which said:

MOOSE CAFE  
OPEN T-S  
DAILY  
SPECIALS  
PUBLIC  
WELCOME

Your attention is directed to AS04.11.110: Club license

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

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Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 5941



MOOSE  
CAFE

OPEN 7-8  
10-2:30  
DAILY  
SPECIALS  
PUBLIC  
WELCOME

5TH

To; Alcohol & Marijuana Control Office

RE; Notice of Violation case # AB17-0362

In response to this notice I am reporting that the sign is removed. I have read the State statute AS04.11.110 and understand completely. We see how misleading that sign is. The intent was for breakfast only before the social quarters or bar was open. It's an old sign and should have been taken down long ago. Please understand that at no time were non- members served alcohol without being signed in as a quest of an active member. It is our strict policy that no non-member can purchase any alcoholic beverage. Also our employee hand book states that no employee while they are working can sign in a quest or buy an alcoholic beverage for them. We will take whatever measures are needed to insure this rule is followed. In closing I hope this is a satisfactory answer and correct action taken.

Respectfully;



Robert D. Sabin

Administrator/Manager

Craig Moose Lodge #1206

State of Alaska Alcohol license # 746



# Notice of Violation

(3AAC 304.525)

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

Date: 7-13-17

License #/Type: Beverage Dispensary #866

Licensee: Old Timers, Inc.

Address: 739 W. 4th Ave, 99501

DBA: Pioneer Bar

AMCO Case #: AB17-0300

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.**

This office received Anchorage Police Department report #17-019998 regarding an arrest of a drunken person on your licensed premises on 5-20-17 at 0232 hours. This is a violation of Title IV.

Your attention is directed to AS04.16.030: Prohibited conduct relating to drunken persons

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

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

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 5521

# Pioneer Bar

739 West 4<sup>th</sup> Avenue • Anchorage, AK 99501 • Phone: 907-276-7996 • Fax: 907-276-6333  
E-Mail: pioneerbarak@gmail.com

7/20/17

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

Dear Investigator Hamilton:

We at the Pioneer Bar (License #866) are writing this in response to the Notice of Violation (AMCO Case #AB17-0300) we received 7/15/17.

Upon receiving this violation we were very concerned. We immediately sought to find more information to resolve and prevent such an incident from happening again. After meeting with Special Investigator Hoelscher and yourself yesterday and upon reviewing the police reports from the Notice of Violation we immediately contacted the staff from the night in question. After speaking with them we decided to call a mandatory staff meeting for all employees on 7/26/17 to review the incident and review what we could have done better to prevent such an occurrence. We contacted the local Alaska CHARR office and are having one of their training staff hold a refresher course on TAPS training concentrating on the area of recognizing effects of alcohol in people on and entering the premise. We are also starting a new bar log in which employees will be required to make entries every night to assure the employees are in the habit of discussing and reflecting on the night, even if no incident occurs.

We continually seek to improve and better our business and the industry we are involved in. We are confident that with the discussion/additional training we receive during this meeting and in the future we will be able to improve and prevent such an incident from happening again.

We are open to any improvements/recommendations that you think could help us improve our establishment. Please feel free to contact us at pioneerbarak@gmail.com, or directly on our cell phones if you feel the need to bring anything to our attention at any time. Mike (907-350-5276) or Dave (907-350-0504).

Sincerely,



Michael Ward & David Croffut

Owners of Pioneer Bar

# Notice of Violation

(3AAC 306.805)

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

Date: 7-13-17

License #/Type: Beverage Dispensary - 4353

Licensee: Latin Connection Entertainment LLC

Address: 333 W. 4th Avenue, Anchorage

DBA: Playhouse

AMCO Case #: AB17-0252

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana 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.

It has been brought to the attention of AMCO Investigators by members of the Anchorage CAP Team, that from June 4th to June 8th, four summonses were issued for failing to maintain server education at your establishment. Server Kyle Joseph Coryell received summonses on June 4, 7 and 8 (TAPS card expired 5-10-17). Manager Tahjimsi Wyam Carmen-Harrison, aka TJ Carmen, received a summons on June 7th for expired server education (TAPS expired 8-14-15). Further when CAP Team members attempted to enter the club on the night of June 2 into early morning of June 3, Manager TJ Carmen attempted to block their access, advising them that Playhouse was a private club. On the evening of May 19th into the morning of May 20 and evening of June 3rd into the morning of June 4th, members of the Anchorage Police report that they smelled both burnt and unburnt marijuana within your premises. When licensee Hector Ortiz was later interviewed, he admitted that he has also smelled the odor of marijuana within the licensed premises. You were issued a citation for violation of AMC8.35.416.150, licensee responsible for violations.

See page two for further.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

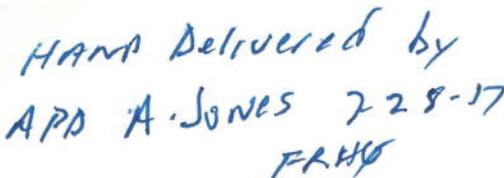
\*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE: 

Delivered VIA: Mail

Date:

7013 2250 0000 9617 5545

# Notice of Violation

(3AAC 304.525)

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

Date: 7-13-17

License #/Type: Beverage Dispensary #4353

Licensee: Latin Connection Entertainment, LLC

Address: 333 W. 4th Ave, 99501

DBA: Playhouse

AMCO Case #: 17-0252

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.

## PAGE 2 CONTINUED

As of 7-14-17, none of your employees are covered by workers compensation. During your 2017-2018 renewal process, you as the licensee are required to have current server education, your TAPS card had expired on 4-16-16. You did not obtain new server education until 6-12-17. These are violations of Title IV and Anchorage Municipal Ordinance 10.50.015(S) which states you have to have server education prior to employment. On 6-2-16, Bartender Ralph Ernest Dillon was asked to provide proof of server education to which he could not, APD Report 17-021868. Finally on 7-9-17, APD Report 17-027147, indicates they located three under 21 persons on the premises at 0255 hours.

Your attention is turned to AS 04.21.025: Server education (4 violations), 3AAC304.465: Alcohol server education course (1 violation), AS 04.11.630: Accessibility of license and licensed premises to inspection (1 violation), AS 04.21.030: Responsibilities of licensees, agents, and employees (11 violations), AS 04.16.150: Licensee responsible for violations (11 violations), AS 04.11.370: Suspension and revocation of licenses and permits (1 violation) and AS04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensees (3 violations).

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

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

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

From Latin Connection Entertainment LLC DBA Playhouse

Hector J. Ortiz

4110 Northstar Street

Anchorage Alaska, 99503

TO: ABC Board

Ref: Your Letter, Violations Dtd 7/1317

1. My manager T.J. Carmen was delegated the responsibility to over see the TAP program and failed to this. I never work the bar, made a mistake in thinking that and I had an oversight in this. However I obtained a card shortly after the occurrence. I had delegated responsibility for the TAP compliance but obviously we failed in that area.
2. It was never brought to my attention that anyone under the age of 21 was served alcohol. Only cleaning staff remains past 3:00AM on premises to clean.
3. The bar was closed for operation on 29 June and we had no employees to cover under Workman's compensation. I don't intend to open again. I spoke to Workman's Compensation and reported the investigator.
4. I had a conversation with the police about the smell of Marijuana and reasoned that the smell of marijuana, while I do not condone it, is prevalent in all clubs where young people attend. They use it outside or in their cars and bring the smell into the club. I don't recall the citation for this.
5. I have in the past always maintained good rapport with APD. We have had our problems like any other club that serves young people. I do not condone anyone impeding the police from entering the premise, especially if they are conducting an investigation. Apparently according to witnesses and the manager the police came to arrest an unregistered sex offender with what the manager thought they should have and a warrant. He apparently was in her way and she entered the club. I feel that if it was

6. serrious enough for a citation she should have been arrested on the spot.. I consider that very serious offense.
7. I realize that I am responsible because it is my Corporation, Club, Lease and License. Unfortunately I trusted a manager to run the operation who instead ran it into the ground by not doing his job. He took the businss to the ground and alleniated the city against me. I am presently out of business and will reiterate that I do not have any plans to continue.
8. I have a 5 September court date for violations issued by the police. My lawyer is awaiting instructions or information from the authorities to proceed.
9. I am in very poor health right now and the constant hospitalizations and appointments have caused me to be remiss in meeting responsibilities and dead lines. Please understand that I have been overwhelmed with all this business and all the recent occurrences. I have a good record of civic involvement and cooperation with the city.
10. Please be advised that I am no longer associated T.J Carmen. An audit indicates that he was seriously embezzling cash and became a heavy drug user. He broke in the premise stole and sold a bunch of club property and left town without notice. I am launching an investigation with the police.
11. If possible I would like to meet with you at you convenience.

Hector J Ortiz

(907) 202-5054

(907) 764-8680

# Notice of Violation

(3AAC 304.525)

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

Date: 7-21-17

Licensee: Greatland River Tours Inc.

DBA: Sternwheeler Tanana Chief

License #/Type: #4122/ Common Carrier - Seasonal

Address: 1020 Hoselton Rd., Fairbanks, AK 99709

AMCO Case #: AB 17-000312

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

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

On July 20, 2017 our Enforcement Division received information and evidence the Sternwheeler Tanana Chief was operating on the Chena River at approximately 11:55 p.m. on July 14, 2017. As previously discussed and documented, your license is subject to the following restrictions:

- 1) Hours of operation 10am-10pm
- 2) Dock at property zoned for commercial docking
- 3) alcohol beverage service begin no more than 30 minutes prior to departure and end upon docking following the trip.

Your attention is directed to AS 04.11.395. Board imposed conditions or restrictions; AS 04.16.045. Obligation to Enforce Restrictions in Licensed Premises; and AS 04.21.030. Responsibility of Licensees, Agents, and Employees.

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

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

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

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

Issuing Investigator: A. Stonecipher

SIGNATURE:



Delivered VIA: Email

Received by:

SIGNATURE:

Date:

# GREATLAND RIVER TOURS



22 Aug 2017

Alcohol & Marijuana Control Office  
550 W. 7<sup>TH</sup> Ave. Suite 1600  
Anchorage, AK 99501  
Att: Enforcement

You noted the following:

*On July 20, 2017 our Enforcement Division received information and evidence the Sternwheeler Tanana Chief was operating on the Chena River at approximately 11:55 p.m. on July 14, 2017. As previously discussed and documented, your license is subject to the following restrictions:*

- 1) Hours of operation 10am-10pm*
- 2) Dock at property zoned for commercial docking*
- 3) Alcohol beverage service begin no more than 30 minutes prior to departure and end upon docking following the trip.*

I understand that this was the case from our manager. He was surprised and pointed out that on the last several licenses there was NO restriction noted on the back; that was what he was going by.

We would like to remedy the situation for the future having a need to operate only a few times a year beyond the license current restriction. Your recommendation as to how we can do this would be appreciated. So we request one of the following:

- Remove the restriction.
- Change the restrictions to a new time of 1 AM.
- Allow for a variance 6 to 10 times a year, on an as needed basis.

Please note that restrictions were originally place because of concern about noise. This has not been a problem and this concern after years of operation is invalid.

We are a small seasonal business, lacking man power and resources we would like to handle this by phone or this correspondence, we hereby so request one of the above recommendations and ask for your assistance in this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kal Kennedy', written over a horizontal line.

Kal Kennedy, Treasurer  
Greatland River Tours  
1020 Hoselton Road  
Fairbanks, AK 99709  
907.322.7955

Attached