

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: 6-2-17

License #/Type: 1563 Beverage Dispensary Tourism

Licensee: Mat-Su Resort LLC

Address: 1850 Bogard Rd, OCL Wasilla

DBA: Everett's

AMCO Case #: AB17-0240

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

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

On 6-2-17, Alcohol & Marijuana Control Office investigators learned that you were employing 16 & 17 year olds on the premises without work permits from the Department of Labor. On 1-5-17 your establishment had an inspection completed with manager John O'Niell and several others present. One of the things discussed was what a Restaurant Designation Permit is and what it does for your business.

Your attention is referred to AS 04.16.049: Access of persons under the age of 21 to licensed premises

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

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

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 5491



MAT-SU
RESORT

1850 Bogard Road, Wasilla, AK 99654
(907) 357-5000

June 14, 2017

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

Mr. Hamilton:

We are in receipt of your letter dated June 2, 2017. We acknowledge the requirement of employees ages 16 and 17 must have approved work permits prior to start of work. The quick hire during the opening of our new business did allow for proper procedures to be in place however, the documents were not submitted to the proper authorities.

As of a June 6, 2017 manager meeting, all new hires will be processed through our Accounting Department prior to any work beginning. This will allow for one point of identification and age verification. Any minors requiring a work permit will not be allowed to begin work without an approved permit in their employee file.

Mat Su Resort, LLC (dba Everett's Fine Dining) enjoys being able to give the youth of Alaska an opportunity to work and contribute our community. We will comply with all laws and regulations regarding their hire and employment activities.

If you have any questions, please do not hesitate to contact me at (907) 357-5000.

Kind Regards,

Denise Tousignant, Director of Operations
Mat-Su Resort, LLC

2019 Tourism Statement

Mat-Su Resort, LLC

1. Explain how issuance of a liquor license at your establishment has/will encourage tourism. *The restaurant and bar is on-site and is within walking distance to our hotel rooms. This is favorable and preferred by the traveling public when selecting overnight accommodations.*

The business involves catering to both tourists, local and regional guests. We advertise in travel/tourism publications such as Alaska Airlines and Delta Airlines baggage claim at the airport, Milepost, Triple A, and others as well as various online publications. Relationships with tour bus companies, the rail road and cruise ship industry have been developed. Thus, we will continue to seek out both independent travelers and those traveling on tours.

2. Explain how the facility was/will be constructed or improved in accordance with this application.

This facility has microwaves and mini refrigerators in every room and is located on Lake Wasilla. As such it is ideal for travelers who want an overnight stay in a beautiful location conveniently located between regular tourist destinations such as Valdez, Talkeetna, Anchorage and Denali.

3. Who operates the facility for which a liquor license is being applied?

Mat-Su Resort, LLC operates the liquor license. Gerard Neeser is the Manager of the LLC entity. Mat-Su Resort, LLC is the licensee of the liquor license. Gerald Neeser Revocable Trust utad 04/30/2001 is the member and owner of Mat-Su Resort LLC. Everett's is owned by Mat-Su Resort, LLC and Gerald Neeser is the manager of all entities.

4. Do you offer room rentals to the traveling public?

Yes

1. If so, how many of these rooms are available? Do any of the rental rooms have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)? If yes, how many of the rental rooms have kitchen facilities that meet this definition? Do you stock alcoholic beverages in guest rooms?

We have 12 rooms for rent in the resort, and 3 cabins located on Lake Wasilla. The resort rooms are equipped with microwaves and mini refrigerators. The three cabins have full kitchen facilities.

2. If not, is your facility located within an airport terminal?

N/A

AMCO
DEC 18 2018



5. Does your establishment include a dining facility?

Yes we have a fine dining restaurant and a bistro on premise. The name of the restaurant and bistro is Everett's. We serve lunch and dinner daily, and Saturday and Sunday brunch.

6. Are additional amenities available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists)?

Yes, we have amenities related to lake activities available to our guests such as summer kayak lessons, water peddle bikes, and paddle boards and canoe rentals. Wintertime lake activities include an area dedicated for ice skating and Hockey. The resort is ideal for travelers who want an overnight stay in a beautiful lakefront setting conveniently located between regular tourist destinations such as Valdez, Talkeetna, Anchorage and Denali. The Mat-Su Resort continues to operate as a tourist facility. In short, all of those things, which are routinely done by hotels in Alaska to encourage tourism, continue to be done by the operators of the Resort.

AMCO
DEC 18 2018





Alaska Alcoholic Beverage Control Board
Beverage Dispensary – Tourism License
Form AB-17d: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing beverage dispensary – tourism liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Mat-Su Resort LLC	License #:	1563
License Type:	Beverage Dispensary - Tourism	Statute:	AS 04.11.400(d)
Doing Business As:	Everett's		
Premises Address:	1850 Bogard Road		
Local Governing Body:	Matanuska-Susitna Borough		
Community Council:			

Mailing Address:	1850 E. Bogard Road				
City:	Wasilla	State:	Alaska	ZIP:	99654

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	Gerald E. Neeser	Contact Phone:	907-229-1348
Contact Email:	jerry@neeserinc.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:	Denise Tousignant	Contact Phone:	907-947-0313
Contact Email:	deniset@mat-suresort.com		



Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 2 – Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	10036718
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Gerald E. Neeser				
Title(s):	Manager	Phone:	907-337-7847	% Owned:	0%
Mailing Address:	340 Oceanview Drive				
City:	Anchorage	State:	Alaska	ZIP:	99515

Name of Official:	Gerald Neeser Revocable Trust UTAD 04/30/01				
Title(s):	Member	Phone:	907-337-7847	% Owned:	100%
Mailing Address:	340 Oceanview Drive				
City:	Anchorage	State:	Alaska	ZIP:	99515

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	



Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an individual or multiple individuals and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: [] applicant [] affiliate (spouse)

Form with fields: Name, Contact Phone, Mailing Address, City, State, ZIP, Email

This individual is an: [] applicant [] affiliate (spouse)

Form with fields: Name, Contact Phone, Mailing Address, City, State, ZIP, Email

Section 4 – Alcohol Server Education

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

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.



Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2017 2018

The license was regularly operated continuously throughout each year.

[X] [X]

The license was regularly operated during a specific season each year.

[] []

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.

[] []

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.

[] []



Alaska Alcoholic Beverage Control Board

Form AB-17d: 2019/2020 Tourism Renewal License Application

Section 6 - Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018: Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018? [X] []

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018? [] [X]

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 - Certifications

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

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. [Signature]

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board. [Signature]

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. [Signature]

I am submitting as part of this application a written statement that meets the attached Tourism Statement Guidelines, for review by the Alcoholic Beverage Control Board. [Signature]

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

[Signature]
Signature of licensee

[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: Nov 2, 2019

Subscribed and sworn to before me this 4th day of December, 2018.



Seasonal License? Yes [] No [X]

If "Yes", write your six-month operating period: _____

Table with 5 columns: License Fee (\$2500.00), Application Fee (\$300.00), TOTAL (\$2800.00), Miscellaneous Fees, GRAND TOTAL (if different than TOTAL) (\$2,800.00)



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Received by:

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Date:





MAT-SU
RESORT

1850 Bogard Road, Wasilla, AK 99654
(907) 357-5000

June 14, 2017

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Alcohol & Marijuana Control Office
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Mat-Su Resort, LLC

