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: 5-7-18

License #/Type: #1161 / Beverage Dispensary - Tour

Licensee: Totem Inn, Inc.

Address: 144 E. Egan, Valdez, AK

DBA: Totem Inn

AMCO Case #: AB18-0454

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.

AMCO learned that your establishment on or about 9-17-16, the establishment has been closed due to a fire and is currently being rebuilt. Licensee has failed to notify AMCO of the closure.

Your attention is directed to AS04.11.580: Surrender or destruction of 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 APPREARANCE, 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

AMCO
OCT 07 2019

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Tourism Statement

A new, transfer, or renewal application for a beverage dispensary – tourism or restaurant / eating place – tourism license must be accompanied by a written statement that explains how the establishment encourages tourism and meets the requirements listed under AS 04.11.400(d) and 3 AAC 304.325.

This document must be submitted to AMCO's main office before any tourism license application will be reviewed.

Section 1 – Establishment Information

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

Doing Business As:	Totem Inn	**License #:**	1161
License Type:	Beverage Dispensary - Tourism		

Section 2 – Tourism Statement

2.1. Explain how issuance of a liquor license at your establishment has/will encourage tourism.

Please see attached letter for all sections.

2.2. Explain how the facility was/will be constructed or improved as required by AS 04.11.400(d)(1):

2.3 Does the licensee or applicant for this liquor license also operate the tourism facility in which this license is located? YES ☐ NO ☐

2.4 If "no" who operates the tourism facility?

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Alcohol and Marijuana Control Office
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Anchorage, AK 99501
alcohol.licensing@alaska.gov
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Tourism Statement

	YES	NO
2.5 Do you offer room rentals to the traveling public?	☐	☐

If "yes" answer the following questions:

How many rooms are available?

How many of the available rooms (if any) have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)?

	YES	NO
Do you stock or plan to stock alcoholic beverages in guest rooms?	☐	☐
If "no" is your facility located within an airport terminal?	☐	☐

2.6 If your establishment includes a dining facility, please describe that facility. If it does not please write "none".

2.7 If additional amenities are available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists), please describe them. If they are not offered, please write "none".

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TOTEM
HOTEL AND SUITES
VALDEZ, ALASKA

October 02, 2019

Alcohol & Marijuana Control Board
550 W. 7th Ave., Suite 1600
Anchorage, AK 99501

To whom it may concern:

This letter is written in regards to 2020/2021 Renewal License # 1161

- Totem Inn, Inc. encourages tourism by advertising in a variety of pamphlets/magazines/travel guides and radio.
- Totem Inn, Inc., painted interior/exterior, purchased new equipment/glasses/product to keep up with supply in demand.
- Totem Inn, Inc., does operate the tourism facility in this location.
- Totem Inn, Inc. has 91 rooms available for the traveling public. 81 are available year round with 10 (cabins) closed Oct. 01 – April 30. 26 rental rooms with kitchenettes, 16 of these rooms have a washer/dryer and all 91 rooms have a microwave.
- No alcohol is stocked in rooms.
- Totem Inn, Inc., is not located within an airport terminal
- Totem Inn, Inc., has a dining facility that sits 65.
- Totem Inn, Inc., suggests sightseeing helicopter tours and boat charters.

If further information is needed, please contact Sharon at 907-834-4429.

Respectfully,

Sharon Blake
Office Manager

AMCO
OCT 07 2019

P.O. Box 648 • 144 East Egan Drive • Valdez, AK 99686 • 907-835-4443
TotemHotelandSuites.com

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Totem Inn	**License Number:**	1161
License Type:	Beverage Dispensary - Tourism		
Examiner:	DANIEL	**Transaction #:**	11529 86

Document	Received	Completed	Notes
AB-17: Renewal Application	10/7	10/28	
App and License Fees	10/7	10/7	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement	10/7	10/7	
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	

	Yes	No
Selling alcohol in response to written order (package stores)?	☐	☐
Mailing address and contact information different than in database (if yes, update database)? Phi	☒	☐
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	☐	☐
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	☐	☐

LGB 1 Response: ☐ Waive ☐ Protest ☐ Lapsed

LGB 2 Response: ☐ Waive ☐ Protest ☐ Lapsed

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Alaska Alcoholic Beverage Control Board

Beverage Dispensary – Tourism License

Form AB-17d: 2020/2021 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 is due to renew by December 31, 2019. 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 and submitted to AMCO's main office before any license renewal application will be reviewed. 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:	Totem Inn, Inc.	**License #:**	1161
License Type:	Beverage Dispensary - Tourism		
Doing Business As:	Totem Inn		
Premises Address:	144 E Egan		
Local Governing Body:	City of Valdez		
Community Council:	None		

Mailing Address:	PO Box 648				
City:	VALDEZ	**State:**	AK	**ZIP:**	99686

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:	James M. Williams	**Contact Phone:**	907-831-0699
Contact Email:	Sharon@toteminn.com / mike@toteminn.com		

Optional: If you wish for AMCO staff to communicate with an 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:	Sharon Blake	**Contact Phone:**	907-834-4429
Contact Email:	Sharon@toteminn.com		

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Alaska Alcoholic Beverage Control Board

Form AB-17d: 2020/2021 Tourism Renewal License Application

Section 2 – Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are corporations or LLCs must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below 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 vising the following site: https://www.commerce.alaska.gov/cbp/main/search/entities

Alaska CBPL Entity #:	135951

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 ***shareholder 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. **You must list ALL of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.**

Name of Official:	~~J. Michael Williams~~ James M. Williams				
Title(s):	Pres.	Phone:	907-831-0699	% Owned:	50
Mailing Address:	PO Box 3485				
City:	Valdez	State:	AK	ZIP:	99686

Name of Official:	Connie D. Ballow				
Title(s):	Sec/Tres	Phone:	907-831-0698	% Owned:	50
Mailing Address:	PO Box 2911				
City:	Valdez	State:	AK	ZIP:	99686

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

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STATE OF ALASKA

Alaska Alcoholic Beverage Control Board

Form AB-17d: 2020/2021 Tourism Renewal License Application

Section 3 – Sole Proprietor Ownership Information

Entities, such as corporations or LLCs, should skip this section. 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.
The following information must be completed for each licensee and each affiliate.

This individual is an: ☐ applicant ☐ affiliate (spouse)

Name:			**Contact Phone:**		
Mailing Address:					
City:		**State:**		**ZIP:**	
Email:					

This individual is an: ☐ applicant ☐ affiliate (spouse)

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:

	2018	2019
The license was regularly operated continuously throughout each year.	☒	☒
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.*	☐	☐

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Form AB-17d: 2020/2021 Tourism Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019:

	Yes	No
Have any notices of violation (NOVs) been issued for **this license** in the calendar years 2018 or 2019?	☒	☐
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 2018 or 2019?	☐	☒

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. [JW]

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. [JW]

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. [JW]

I am submitting as part of this application a completed copy of the attached Tourism Statement form, for review by the Alcoholic Beverage Control Board. [JW]

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 of licensee

Signature of Notary Public

James M. Williams

Printed name of licensee

Notary Public in and for the State of ALASKA.

My commission expires: 08/21/2021

SHARON BLAKE
Notary Public, State of Alaska
Commission # 170821023
My Commission Expires
August 21, 2021

Subscribed and sworn to before me this 02 day of OCTOBER, 2019.

Seasonal License? Yes ☐ No ☒ **If "Yes", write your six-month operating period:** _____

License Fee:	$ 2500.00	**Application Fee:**	$ 300.00	**TOTAL:**	**$ 2800.00**
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

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OCT 07 2019