

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: 1/13/20

License #/Type: 3461

Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: The Landing Lights, LLC

Address: Valdez Airport Terminal

DBA: Puddle Jumpers Saloon

AMCO Case #: 20-0034

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 1-9-20, I conducted a walk through of your licensed premises. A foosball table was present on the premises. You have a restaurant designation permit which does not permit you entertainment on the premises. These types of activities were discussed with you back in August-September 2016 when you had a pool table on the premises. Discussed in May 2018 and October 2019 was the need for stanchions so that your premises can be defined. Also discussed was the placement of the civil penalty sign placement with the stanchions. As of January 2020, you have not placed stanchions to define your premises nor have you placed the civil penalty sign as discussed.

Your attention is directed to 3AAC 304.715: Application for designation, AS 04.21.065: Posting of warning signs, AS 04.21.030: Responsibility of licensee, agents and employees and AS 04.16.150: Licensee responsible for 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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

January 23, 2020

Puddle Jumpers Saloon
P.O. Box 1999
Valdez AK 99686

Joe Hamilton, Investigator
550 W 7th Ave., Ste 1600
Anchorage, AK 99501

Subject: NOV case 20-0034 on license number 3461

Hi Joe,

Sorry to see this violation come thru. I can tell you with confidence it has been inside the bar since the last violation you have attached. I will tell you that we have been closed for the winter since Nov 3rd of 2019. We will be reopening in March 2020. I can only surmise that it was removed under two possible scenarios. One being in the first week of December we had some plumbing work done and I believe it is possible that the contractor moved it out of the way so that the sinks and ice machine could be moved into the bar area while new grease trap was installed. The other was after the work was done, I had a cleaning crew come in and do deep cleaning and it may have been moved to clean carpets. I don't know if you notice that the bar is completely empty and none functionable currently. It has been this way since early November of 2019. There is no stock or supplies of any kind on the premise.

I am giving the game away or taking it to dumpster so that there is no more issue with the machine. This will be done before the end of the month. I am currently looking for someone to take it away. I will notify you by email with pictures for proof, possibly sooner than later. Is it possible to remove the violation because we have not been open, and I am sure it was never put in the area for the publics pleasure? You can contact Ravn Air or Valdez U-Drive to verify we have not been open. Or contact the city of Valdez of whom is my landlord. They have offices throughout the whole building, and they can verify I have been closed.

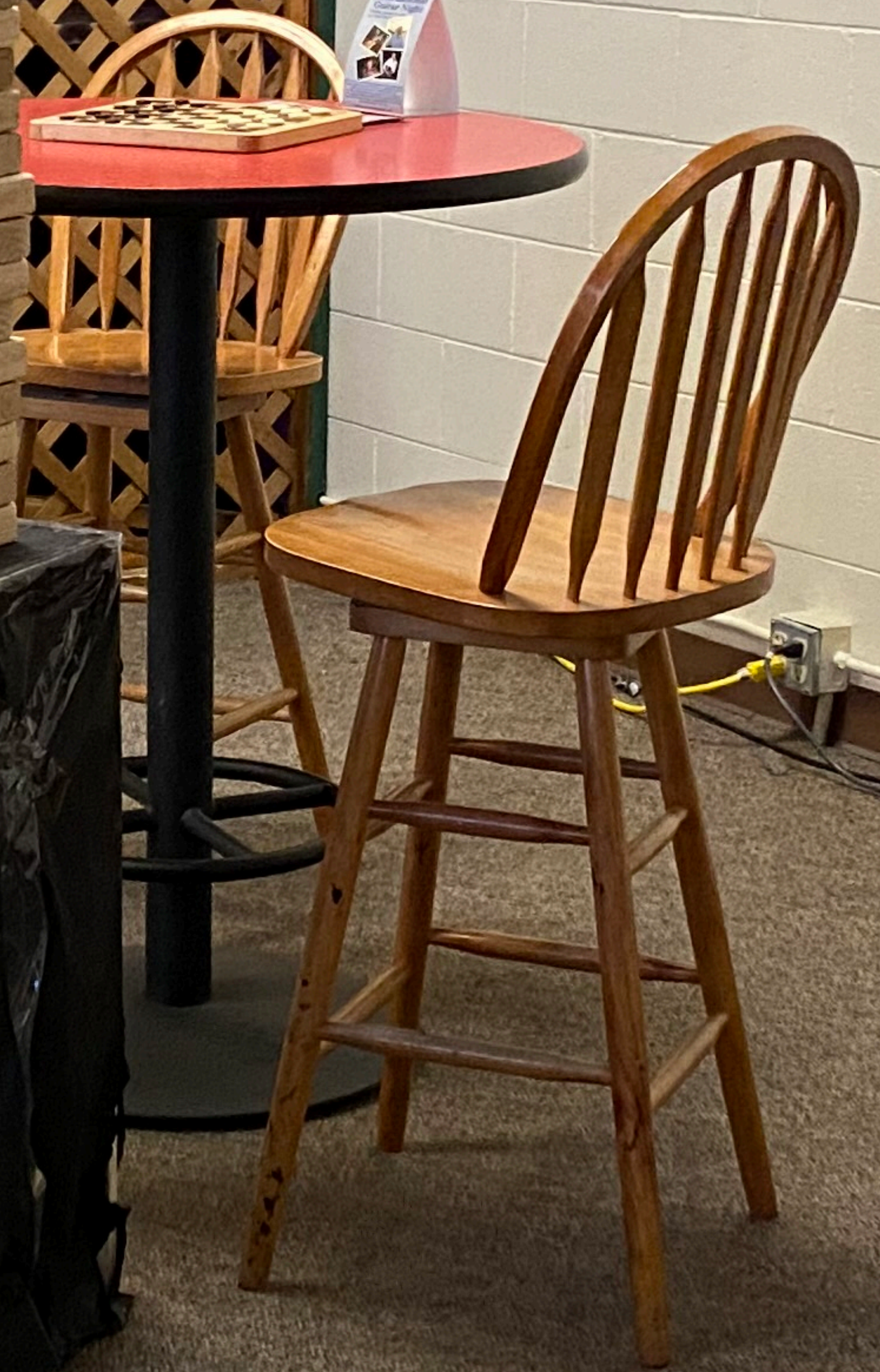
I hope I have given you enough information to grant a waiver on this violation because we were not open and had been closed for over two months.

I will be leaving Alaska on January 29th until March 9th for medical reasons. I will be out of touch and hope this can be resolved upon my return if not before I leave. Thank you for your time and consideration in the matter. I value and respect my liquor licenses and hope not to see violations attached to them.

Sincerely,



Karen Ables



WA
A pers
years
ente
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violat
coule
AS 04.10
civilly
damages



FRODO BAGGINS
ALASKA

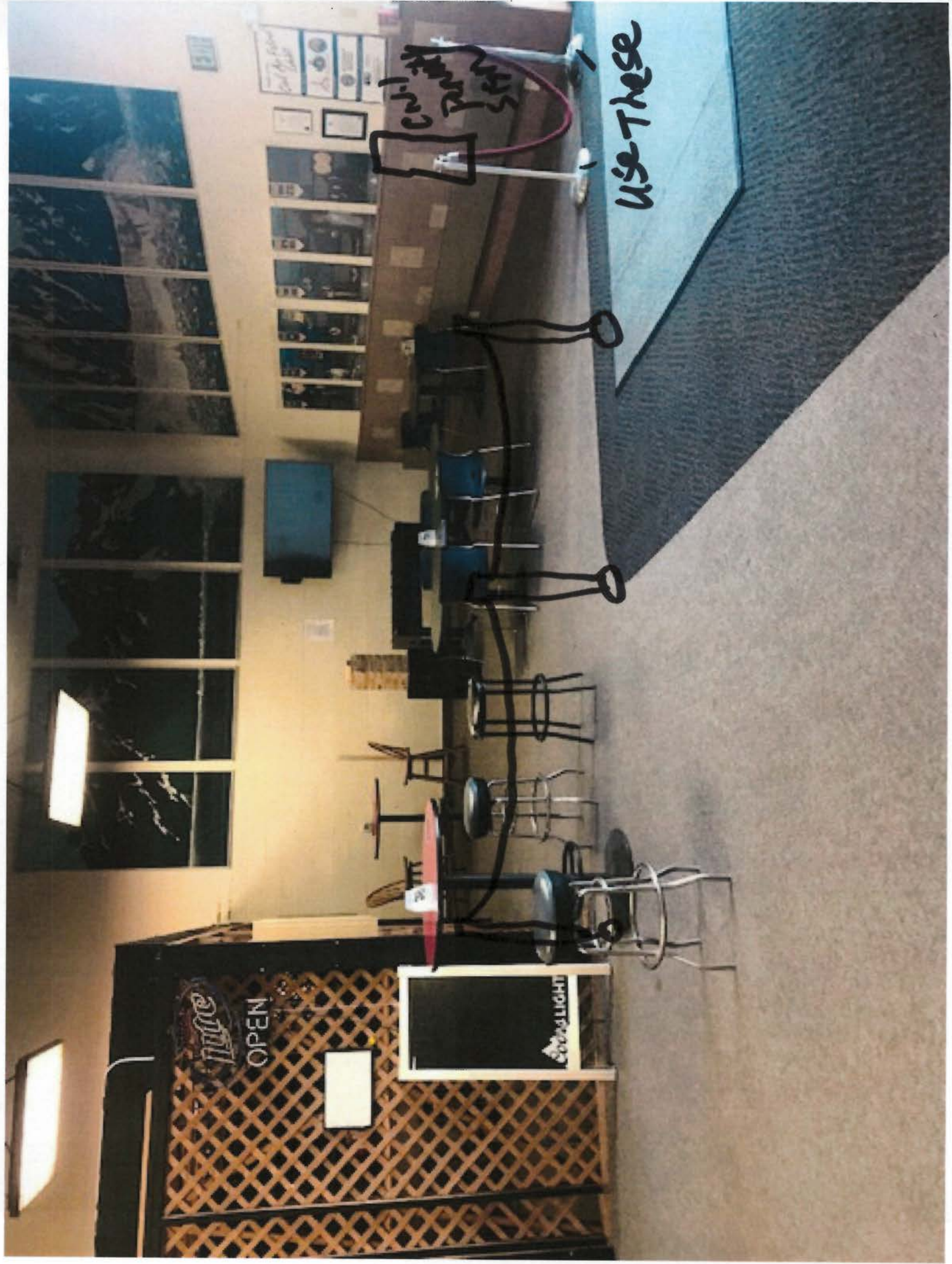
WARNING
A WARNING SIGN
INDICATING THE
PRESENCE OF
ELECTRICITY
SHOULD BE
POSTED IN ALL
AREAS WHERE
ELECTRICITY
IS USED.
IF YOU
SEE A
WARNING
SIGN,
STOP
AND
CALL
FOR
HELP.



MUD BENT







USE THESE

Child Proofed
Power Strip

OPEN

BEER LIGHT

1820-1825







Department of Commerce, Community, and Economic Development
 Alcoholic Beverage Control Board
 550 W. 7th Ave, Suite 1600, Anchorage, AK 99501
 Tel. (907) 269-0350

LICENSED PREMISES INSPECTION REPORT

Case No. 19-1597

Premises, DBA PUDDLE JUMPERS SALOON		Date: 10/16/19	Time: 1630
Address (Street No. RR No. etc., City, Zip code) VALDEZ AIRPORT TERMINAL, VALDEZ, AK		Type of License BEVERAGE DISPENSARY - TOURISM	
License or Permit Number 3461	Type of Inspection: <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Requested <input type="checkbox"/> Follow-Up		
Important Notice Any item determined to be unsatisfactory must be corrected or the Alcoholic Beverage Control Board may take action to suspend or revoke the license in accordance with AS 04.11.370(3)			

GENERAL ITEMS

	Yes	No	See Comments
1. Is the DBA the same as what is indicated in the ABC master file? 3 AAC 304.185	✓		
2. License posted correctly? 3 AAC 304.185, pg. 101 / AS 04.11.630	✓		
3. Does the premises have a restaurant designation permit? 3 AAC 304.745	✓		
4. Does the licensee employ persons under 21 years of age? AS 23.10.355		✓	
5. Warning signs posted? AS 04.21.065	✓		
6. Do employees/supervisors have proof of current alcohol server training? AS 04.21.025(c), 3AAC304.465		✓	See Comments
7. Do you expect to be closed more than 30 days in the near future? 3AAC304.170 AAC 304.195		✓	
8. Do premises appear safe / neat? AS 04.21.030(2)	✓		
9. Is any off-premises storage area approved by the board? AS 04.21.060(1)		✓	
10. Have there been any physical changes to the licensed premises? 3 AAC 304.185(c)		✓	
11. Is a duplicate license required/appropriately displayed? AS 04.11.090(e)			N/A
12. If new license inspection, will they meet the 240 hour operation requirements by the end of the calendar year? AS 04.11.330 (3) AAC 304.170 (j) (1-7)			N/A
13. Is the license premise in a Rural area? (50 miles from a statewide road system)		✓	

MISCELLANEOUS

14. Does the facility have the number of rooms required by Statute? AS 04.11.400			
15. Is there an operating restaurant or are there kitchens in the majority of the rooms? AS 04.11.400			

COMMENTS:

5 CURRENTLY NOT CURRENT FOR SERVER EDUCATION, BUT WILL RENEW BEFORE SHE RENEWS HER LIQUOR LICENSE

SUBMITT DIAGRAM WITH WHAT THE LICENSE PREMISES ACTUALLY IS. NEED TO PUT UP STANTIONS TO DEFINE THE LICENSED PREMISES

Owner/Manager/Agent Name: OWNER KAREN ANN ABLES	Contact #	Investigator Name: Joe Hamilton
Driver's License Number / Date of Birth: ADL 6552384 12-21-59	Investigators Signature: <i>J.R. Hamilton</i>	
Alcohol Server Education, Card Number / Expiration Date: NONE	Rank or Title: Special Investigator I	



Department of Commerce, Community, and Economic Development
 Alcoholic Beverage Control Board
 550 W. 7th Ave, Suite 1600, Anchorage, AK 99501
 Tel. (907) 269-0350

LICENSED PREMISES INSPECTION REPORT

Case No. 18-0485

Premises, DBA PUDDLE JUMPERS		Date: 5/2/18	Time: 1700
Address (Street No. RR No. etc., City, Zip code) VALDEZ AIRPORT TERMINAL, VALDEZ, AK		Type of License Beverage Dispensary-Tourism AS 04.11.400(g)	
License or Permit Number 3461	Type of Inspection: <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Requested <input type="checkbox"/> Follow-Up		
Important Notice			
Any item determined to be unsatisfactory must be corrected or the Alcoholic Beverage Control Board may take action to suspend or revoke the license in accordance with AS 04.11.370(3)			

GENERAL ITEMS

	See	
	Yes	No Comments
1. Is the DBA the same as what is indicated in the ABC master file? 3 AAC 304.185	✓	
2. License posted correctly? 3 AAC 304.185, pg. 101 / AS 04.11.630	✓	
3. Does the premises have a restaurant designation permit? 3 AAC 304.745	✓	
4. Warning signs posted? AS 04.21.065	✓	X
5. Do employees/supervisors have proof of current alcohol server training? AS 04.21.025(c), 3AAC304.465	✓	
6. Do you expect to be closed more than 30 days in the near future? 3AAC304.170		✓
7. Do premises appear safe / neat? AS 04.21.030(2)	✓	
8. Is any off-premises storage area approved by the board? AS 04.21.060(1)	✓	
9. Have there been any physical changes to the licensed premises? 3 AAC 304.185(c)		✓
10. Is a duplicate license required/appropriately displayed? AS 04.11.090(e)		

MISCELLANEOUS

11. Does the facility have the number of rooms required by Statute? AS 04.11.400		
12. Is there an operating restaurant or are there kitchens in the majority of the rooms? AS 04.11.400		
13. Did licensee have any questions for the investigator? What were they?		

COMMENTS:

4 DISCUSSED BETTER PLACEMENT OF WARNING SIGNS. DIDN'T HAVE ANY AT THE ENTRANCE TO THE RESTAURANT

OWNER WAS CONTACTED AND ADVISED THEY NEED A STANTION FOR CIVIL SIGN AND NO ALCOHOL BEYOND THIS POINT. NEEDS TO BE LOCATED NEAR ENTRANCE TO RESTAURANT

Owner/Manager/Agent Name: BARTENDER HANNA CURRY	Investigator Name: JOE HAMILTON
Driver's License Number / Date of Birth: ADL 7343360 2-4-95	Investigators Signatur <i>J.R. Hamilton</i>
Alcohol Server Education Card Number / Expiration Date: TAP CERTIFICATE 2352 3-24-21	Rank or Title: SPECIAL INVESTIGATOR 1
Contact Number:	

From: [Hamilton, Joe \(CED\)](#)
To: [Hoelscher, James C \(CED\)](#); [Franklin, Cynthia A \(CED\)](#); [Johnston, Naomi A \(CED\)](#)
Subject: Fwd: Notice of Violation for Puddle Jumper Saloon!
Date: Friday, September 23, 2016 7:52:08 AM
Attachments: [Puddle Jumpers Diagram for AMCO.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "Karen Ables" <ables@cvinternet.net>
To: "Hamilton, Joe (CED)" <joe.hamilton@alaska.gov>
Subject: Notice of Violation for Puddle Jumper Saloon!

Cynthia,

After having a very informative conversation with officer Hamilton I will be correcting the following error noted in my violation. In the existing area that is covered under my permit there are two tables. One is a foosball table and the other a pool table. They do not belong to me and I am not able to get a hold of the owner "Hank Baron" he is with a vending company in Anchorage, however, I have currently asked my maintenance person to build me ply wood covers to cloak the tables. This will dis-allow anyone to play on the tables but rather use them as tables. Please note that at any point I never knew I was breaking rules and regulations of AMCO. I apologize for the mix up. I am attaching a new diagram showing the covered tables. Please let me know if you have any questions.

Sincerely,
Karen Ables
Puddle Jumpers Saloon

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

135-
6871

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: The Landing Lights, LLC

PREMISES LOCATION: Valdez Airport terminal

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

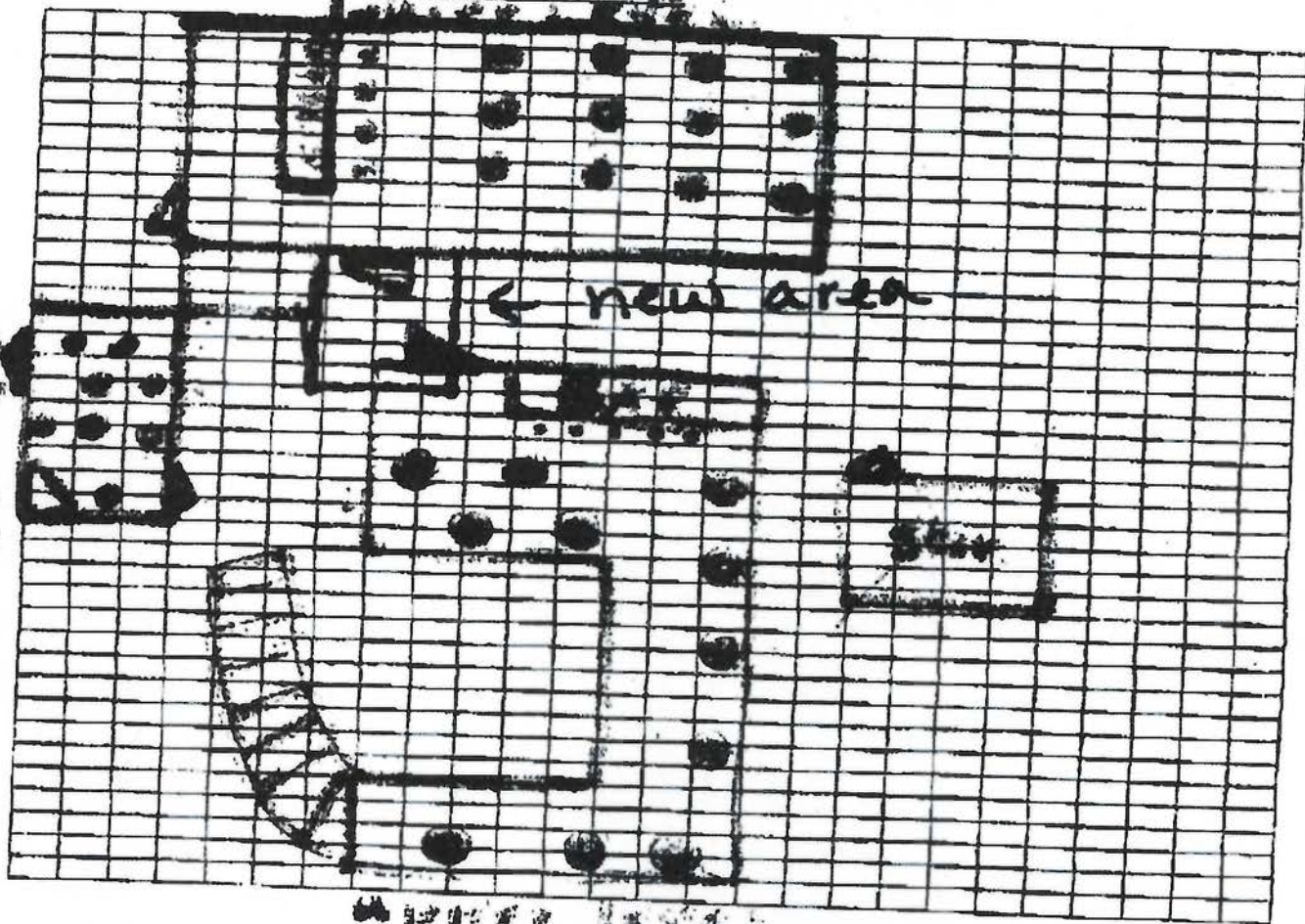
SCALE A: _____ 1 SQ. = 1 FT.

SCALE B: ↑ 1 SQ. = 2 FT

1 SQ. = 4 FT.

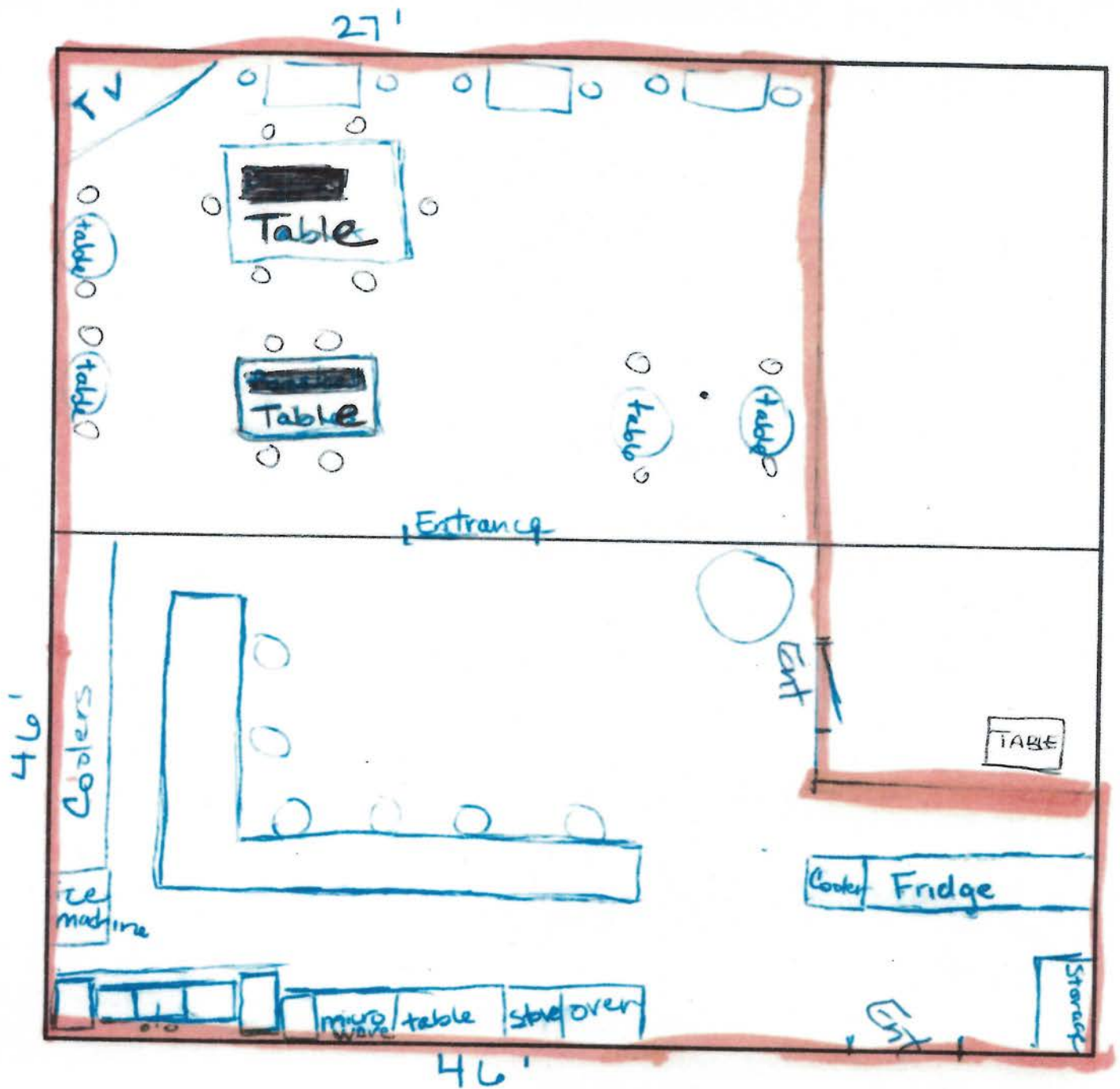
Length and width of premises in feet: 20 x 40 + 18 x 12 12 x 15

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.



162.5

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Licensed Premises Diagram



Puddle Jumpers Saloon
 300 Airport Road
 Valdey AK
 Valdey Pioneer Airport

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: 2/7/20

License #/Type: 2706 Club

Licensee: V.F.W. Post #9981

Address: 12870 Old Seward Hwy, Suite 109, Anchorage, AK

DBA: V.F.W. Post #9981

AMCO Case #: 20-0030

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 1-6-20, after receiving an anonymous complaint about advertising to the public, AMCO reviewed your Facebook feed. There are multiple events scheduled at your location in which you are soliciting public patronage. On 1-11-20, Inv. Hamilton went to your location to attend a fund-raiser for the American Cancer Society and Team Ice Eagles. Hamilton was asked at the door if he was a member to which he stated he wasn't. The name he provided was written down. Once inside the establishment there were at about 36 silent auctions for alcoholic products: Spirits, wine and beer. A review of AMCO permits revealed V.F.W. did not have a signed auction permit and you were auctioning prohibited items. Lastly, Hamilton ordered and paid for a Bud Light 12-oz canned beer from Heather L. Brevak. On 1-31-20, Hamilton again went to your establishment for Steak Night. He was asked by Brevak if he was a member to which he replied he wasn't. Brevak then stated she needed to look for someone to sign Hamilton in. The gentlemen next to Hamilton said he would sign him in. No introduction was made. A short time later, Hamilton didn't see who had sponsored him. A Bud Light 12-oz canned beer and a shot of Makers Mark was purchased from Brevak. On 2-2-20, Hamilton again returned. He was not asked if he was a member when he ordered a beer. A Bud Light 12-oz can of beer and a shot of Crown Royal was ordered and furnished. by bartender Lisa M. Montoya Shortly into the visit, Ginger Hubbard asked Hamilton if he was a veteran. He replied he was. Hubbard then asked Post Commander Robert Nelson to get him a temporary membership card to which he did. Nelson asked Hamilton to put his name on the card. Nelson dated the card to expire on 31 July 2020, signed it and gave it back to Hamilton. When he gave Hamilton the card. No identification was asked for. On the way out, Hamilton observed a paper on a table by the exit with a bunch of squares on it. When he asked the gentleman what it was for, he told Hamilton it was all filled up. When asked how it worked, he began by reading a few scores on the sheet. After not really explaining how it worked, he advised Hamilton a person could win up to six thousand dollars. Nelson later admitted that he knew about the football sheets but was not sure if people were gathering money on the premises.

Your attention is directed to AS 04.11.110: Club license (three counts), AS 04.16.045: Obligation to enforce restrictions on licensed premises (three counts), AS 04.16.150: Licensee responsible for violations (three counts), AS 04.21.030: Responsibility of licensee, agents and employees (three counts) and 3AAC 304.699: Wine auction permit

It should be noted that this club has been given notices of violations in 2009, 2011 and 2012 for sale to non-club members.

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:



AMCO
FEB 19 2020

VFW POST 9981

17February 2020

AMCO Case # 20-0030

License #/Type 2706 Club

To: Enforcement Office

Subject: Notice of Violation

In response to your Notice of Violations received on 8 February 2020:

VFW Post 9981 was made aware that these violations on February 4th. Coincidentally, a Bartenders meeting had already been scheduled for later in the week to discuss more strict procedures for vetting members before they were served at the bar. Mr. Hamilton attended this meeting on Sunday, February 9th and briefed the bartenders and supervisors on the details of the violations, answered many questions and offered advice on how we could ensure total compliance in the future. Regardless of the eventual adjudication of this case, I would like to specifically commend Mr. Hamilton on his professionalism and his willingness to take the time to speak with us on a Sunday.

Founded in 1996, Veterans of Foreign Wars Post 9981 is part of a private, non-profit national fraternal organization that was established to strengthen comradeship among Alaskan veterans of foreign wars, assist worthy members, perpetuate the memory and history of deceased Alaskan veterans, help veterans obtain VA benefits and assist their surviving spouses and orphans. We do not retain any profit from revenues and donate 100% of our profits to the above causes. We receive no government funding of any kind. Average weekly revenues from all sources are typically in the \$1,500 - \$2,500 range.

Officers and most employees of the Post are volunteers and serve without compensation of any sort. The one exception – typical of most VFW posts – is the hiring of a few part time professional bartenders to assist our mostly volunteer staff that tends bar and prepares food for special occasions. The Post and its new officers have been in the process of reorganizing and restoring the financial stability of the Post over the past several months. This effort has included the dismissal of our former Bar Manager, more strict financial controls and a more aggressive new membership program that encourages current members to introduce their qualified friends to the advantages of joining VFW. This somewhat “overly enthusiastic” membership drive, rather than a deliberate effort to violate Alaska Statutes, seems to have been the core problem in our recent violations.

Management pledges to redouble its efforts to operate correctly and henceforth obey all Alaska Statutes and AMCO policies that pertain to the operation of a Private Non-Profit Club. Should there be any question or confusion about an applicable AS, we will immediately seek professional or AMCO advice. Our specific response to each violation follows:

12870 Old Seward Hwy, Anchorage, AK 99515

FEB 19 2020

AS 04.11.110 Club License (three counts): No excuse. "Honorary Membership" cards will no longer be issued. Our policy of issuing temporary memberships for prospective members has been rescinded and we will no longer honor outstanding cards. All Post officers and bartenders have been briefed on this new policy

AS 04.16.045 Obligations to enforce restrictions on licensed premises (three counts): No excuse. A 100% Membership ID check is now in effect. Bartenders have received additional instruction on how to check membership cards and the correct procedures for signing in guests that are sponsored by a member in good standing. A notice to this effect has also been posted on the front door of the Club. Bartenders and Members have been reminded that guests can no longer exchange their own money for food or drink.

AS 04.16.150 Licensee responsible for violations (three counts): No excuse. New policies and procedures should eliminate any further occurrences.

AS 04.21.030 Responsibility of Licensee, agents and employees (three counts): Door checks and other procedures should prevent the chance of a non-member or unsponsored guest from slipping through at large events. Those volunteers or employees that are assigned to check identification at the door will receive additional training. In the future, anyone that is not immediately recognizable as a bonafide member of the Post will be challenged during large events.

Count 3AAC 304.699; Wine Auction Permit: We are now aware that wine may not be included in raffles or auctions without first obtaining a permit. Permits will be requested and hard liquor and beer will never be included in any item offered.

The Bar Manager, all Bartenders and all Post Officers have been briefed on the content of this response and a copy will be made available upon request of any Post Member.



Sincerely,
Skip Nelson
Commander, VFW Post 9981

Cc: File

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: 2/13/20

License #/Type: 2300 Beverage Dispensary

Licensee: Down East Saloon, LLC

Address: 3125 E. End Road, Homer, AK

DBA: Down East Saloon

AMCO Case #: 20-0210

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 have an unreported change of ownership, details are as follows:

Change in ownership:

Justin Cole 100% Ownership to 0% Ownership

Justin Cole Living Trust 0% Ownership to 100% Ownership

Date of unreported change of officers/ownership: 10/17/2018

Your attention is referred to Sec. 04.11.050: Reports required of corporations

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. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

DOWN EAST SALOON LLC

3125 East End
Homer, AK 99603
(907) 235-6002

February 14, 2020

AMCO Enforcement
Joe Hamilton
550 W 7th Ave, Suite 1600
Anchorage, AK 99501

Re: Liquor License 2300, Down East Saloon, LLC

Joe:

Thank you for taking my call this morning.

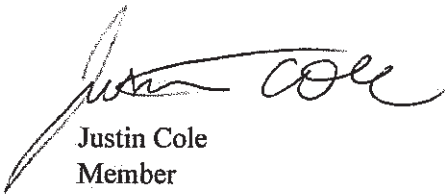
Regarding the Notice of Violation. Down East Saloon LLC owns the bar. The single member ownership belongs to Justin Cole. On his own, Justin decided to create a Living Trust for his heirs. Therefore, the "member" changed from Justin Cole to Justin Cole Living Trust.

We sent in our renewal paper work and check, which was cashed immediately, in October 2019. Not hearing back from AMCO that there was a conflict with our license, we called to find out where our license was in January 2020. We were then told about the "conflict" of ownership. We were also told that Justin's Executor of his Estate would have to be finger-printed and a background check done before the license would be issued. His Executor had just been finger-printed and a background check done with the Homer Police a week prior to this incident. I was informed that was not good enough and that he would have to go through the process again at a \$45 charge which we were to send to you.

With the above said, we chose to put the "member" back to Justin Cole through the State to clarify and make this whole incident simpler. We have been dealing with Randi Baker who seems to forget everything we've discussed with each phone call.

This has cost me hours of time, as well as my bookkeepers time, with no resolution. All I want to do is have my liquor license reissued in the state it was in the beginning. The check was cashed so there should be no additional problem. We have complied with everything we were asked to do per Randi Baker.

I thank you for your help and quick resolve in this matter.



Justin Cole
Member
Down East Saloon LLC

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: 2/13/20

License #/Type: 2300 Beverage Dispensary

Licensee: Down East Saloon, LLC

Address: 3125 E. End Road, Homer, AK

DBA: Down East Saloon

AMCO Case #: 20-0210

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 have an unreported change of ownership, details are as follows:

Change in ownership:

Justin Cole 100% Ownership to 0% Ownership

Justin Cole Living Trust 0% Ownership to 100% Ownership

Date of unreported change of officers/ownership: 10/17/2018

Your attention is referred to Sec. 04.11.050: Reports required of corporations

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

January 8, 2020

Entity #10049110
Down East Saloon LLC

To Whom It May Concern:

I am faxing you a Notice of Change of Officials for the Down East Saloon LLC. After sending my renewal application to the ABC Board for my liquor license in September 2019, I was just informed that I needed to have the Executor of my Living Trust finger printed and a background check done. This person is not in the State of Alaska at this time.

With that said, I need to get my license renewed and the only way I can do this is to take out the ownership from my Trust, and to put it back to my name, Justin Cole.

This is a time-sensitive issue and I was in hopes that I could be faxed back a copy of the Notice of Change with your stamp on it. I need to return the stamped copy to the ABC Board as soon as possible.

Thank you for your help in this matter. If further information is needed, please call me at 907-299-6177. Return fax number is 907-226-3443.



Justin Cole
Down East Saloon LLC
Sole Member



THE STATE
of **ALASKA**
Department of Commerce
Division of Corporations



COR

RECEIVED
Juneau

JAN 08 2020

CBPL

CC 25 OR

Corporations Section
State Office Building, 333 Willoughby Avenue, 9th Floor
PO Box 110806, Juneau, AK 99811-0806
Phone: (907) 465-2550 • Fax: (907) 465-2974
Email: corporations@alaska.gov
Website: Corporations.Alaska.Gov

Notice of Change of Officials

Domestic Limited Liability Company (AS 10.50)

- This Notice of Change of Officials form is only for Domestic Limited Liability Companies and is used to report changes between biennial reporting periods in: members, managers, and percentage of interest held.
- This Notice of Change of Officials will not be filed if the entity's biennial report is not current. To verify the entity's biennial report due date, go online to www.Corporations.Alaska.Gov and select *Search Corporations Database*
- Standard processing time for complete and correct filings submitted to this office is approximately 10-15 business days. All filings are reviewed in the date order they are received.
- The information you submit is a public record and will be posted on the State's website.

1. Important:

AS 10.50.765

Each Domestic Limited Liability Company is required to notify this office when there is a change of officials.
— AS 10.50.765

Failure to meet this requirement may result in involuntary dissolution of the entity's authority to transact business in the State of Alaska.

The Domestic Limited Liability Company is to keep and make available the records of the official(s) changes
— AS 10.50.860-.870

2. Fee:

\$25 Nonrefundable Filing Fee (CORF)

3 AAC 16.065(b)

Mail this form and the non-refundable \$25 filing fee in U.S. dollars to the letterhead address. Make the check or money order payable to the State of Alaska, or use the attached credit card payment form.

3. Entity Information:

AS 10.50.765

Entity Name: Down East Salmon LLC

Alaska Entity Number: 10049110



4. REMOVE from Record: AS 10.50.765(b)

The following officials (members and, if applicable, managers) will be completely removed from the record as a result of this filing:

RECEIVED
Juneau
JAN 08 2020
CBPL

Name: Justin Cole, AS Trustee Name: _____
OF Justin Cole Living Trust Name: _____

Name: _____ Name: _____

If an official is not being removed from record, then list them in Item #5 below (with their current information).

5. ALL Current Officials: AS 10.50.765(b)

The following is a complete list of ALL remaining and new officials who will be on record as a result of this filing.

- An LLC must have at least one member who owns a % of the LLC. — AS 10.50.155(b)
- Must provide all members who own 5% or more of the LLC. — AS 10.50.765 (b)
- Members must own a % of the LLC. A member may be a manager if the LLC is manager managed.
- An LLC may be managed by a manager if provided in Articles of Organization. A manager may be a member if the manager also owns a % of the LLC. — AS 10.50.075(5) and AS 10.50.110(b)

- List ALL officials and their current information to be on record.
- Manager will only be accepted if the entity is manager-managed per the articles.
- BOLD fields are required.

FULL LEGAL NAME	COMPLETE MAILING ADDRESS	% OWNED	MEMBER Manager
Justin Cole	33730 Justin's Ct, Homer, AK 99603	100	X

→ If necessary, use the following supplement page and include all information required above in Item #5.

6. Required Signature: AS 10.50.840

The Notice of Change of Officials must be signed by: a member (AS 10.50.840(a)(2)); or a manager if manager managed (AS 10.50.840(a)(1)); or an attorney-in-fact (AS 10.50.840(c)). Persons who sign documents filed with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor.

Signature: [Handwritten Signature] Date: 1-08-2020

Printed Name: Justin Cole

Title of Authorized Signer: Member Manager Attorney-in-fact

If signing on behalf of a member or manager which is an entity, then identify the signer's relationship and signing authority with the member entity. For example: John Smith, President of XYZ Inc. the sole member of ABC LLC.

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: 2/18/20

License #/Type: 3219 Package Store

Licensee: LeeFamily Corporation

Address: 601 W. 36th Ave, Anchorage, AK

DBA: Mom & Pops Grocery & Liquor

AMCO Case #: 20-0221

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 2-18-20, Anchorage Code Enforcement notified this office that they had completed an inspection of your premises on 2-13-20. Noted were two violations of conditions that the Alcohol Control Board placed on the license on 9-4-18. Specifically, your selling single serve flavored beer called "Sniki-Tiki", which contains 9.9% alcohol, for \$1.99 each, when they should be sold for \$2.49 each. Later that day, an enforcement officer went back to your establishment and selected the Sniki-Tiki beverage and asked for four shooters of Burnett's vodka. The clerk acknowledged that he was only allowed to sell two but stated she looked okay and sold her four.

Your attention is directed to AS 04.11.330(a)(6): Denial of license or permit renewal, AS 04.11.370 (a)(3) & (11) and AS 04.16.150: Licensee responsible for 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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date: 2/18/20

From: [Edward Lee](#)
To: [Davies, Jason M \(CED\)](#)
Subject: Mom and pop
Date: Thursday, March 12, 2020 3:10:49 PM

Hello my name is Edward and I've sent a letter on 2/24. I can send you it again on here for the response.

Our sniki-tinki was a broken down 12 pack can and was sold at 2.49\$ and the 4 shooters that was sold was a judgmental call. We have fix this issue by inspecting every customer such as;to see if they been intoxicated, to see if they are driving or walking by looking at our cameras that are facing the parking lot and checking valid I.D. We also put a sign up to our customer saying "limit of 2 shooters". I just want to say it's unfair that we have to price these items high and limit people while they can go right across the street or anywhere else and buy whatever they want. My prices are still higher than everyone around me. I'm the only one who got this moa out of the 9 Liquor store within walking distance.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 4, 2018

LeeFamily Corporation
DBA Mom & Pops Grocery & Liquor
601 W. 36th Avenue, Suites 3 & 4
Anchorage, AK 99503

Re: Mom & Pops Grocery & Liquor, License #3219

Dear LeeFamily Corporation:

At the August 14, 2018, meeting of the Alcoholic Beverage Control Board in Denali, Alaska, the board renewed your package store license with conditions requested by the Municipality of Anchorage. The conditions imposed are as follows:

1. No single-serving container of beer or malt beverage may be sold or offered for sale that has an alcohol content equal to or greater than 8.0% for less than \$2.49 per container.
2. Glass bottles of products shall not be sold if plastic container options for the same product are available locally.
3. No single-serving of an alcoholic beverage other than beer or wine may be sold or offered for sale in a container having a capacity of approximately 50 ml or 1.6 oz, more or less, commonly known as miniatures, shooters, or airplane serving size bottles, for a price less than \$1.70 per container.
4. Licensee shall not sell more than two "shooters" to any one customer, per day.
5. All shooters and single-serving containers of beer or malt beverage in containers of 16 ounces or less shall be labeled with a sticker or other identifying mark to identify the location of the point of sale.
6. The conditions recommended by the Assembly herein shall only be applicable to license #3219 while it is located at 601 W 36th Ave., Suites 3 and 4, in Anchorage. If the license is transferred to a different location all conditions shall be lifted from license #3219; however this does not prevent the Anchorage Assembly from recommending the same or other conditions be imposed on the license at the time it reviews an application to transfer the location of license #3219.
7. The licensee shall, in good faith, execute and comply with a Memorandum of Understanding (MOU) between Midtown Community Council (MCC) and LEEFAMILY CORPORATION DBA MOM AND POP'S GROCERY AND LIQUOR, regarding licensee's operations, practices, and effect on the area. The MOU conditions shall have no binding effect on the Assembly or the Municipality of Anchorage.

Your license will be sent to you shortly.

Please contact alcohol.licensing@alaska.gov with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell
Director

cc: License File
Municipality of Anchorage

Service Request & Case Summary Report

Report Date: 2/14/2020 1:29 PM

Service Request #: 198351

Request Date: 2/14/2020

Address: 601 W 36TH AVE STE 000003, Anchorage

Location:

Legal Description: PIEDMONT TERRACE BLK 4A LT 1B G:1630

Agency: Land Use Enforcement

Status: Open

Priority: MED

Complaint Description:

Conditional Use Approval Violation

Contacts:

<u>Contact Type</u>	<u>Name</u>	<u>Phone</u>
Customer	Richard Fern	(907)343-8039

Mom & Pops Grocery and Liquor is before the assembly for an alcohol license renewal. This is an old, prior to conditional use approval license. However, the State of Alaska Alcohol Beverage Control Board issued a letter on September 4th, 2018 imposing five conditions on the license at the request of the municipality. The five conditions were 1) No single serving container of beer or malt liquor may be sold or offered for sale that has an alcohol content equal to or greater than 8.0% for less than \$2.49 per container. 2) Glass bottles of products shall not be sold if plastic container options for the same product are available locally. 3) No single serving of an alcoholic beverage other than beer or wine may be sold or offered for sale in a container having capacity of approximately 50ml or 1.6 oz, more or less, commonly known as miniatures, shooters, or airplane serving size bottles for a price less than \$1.70 per container. 4) Licensee shall not sell more than two "shooters" to any one customer per day. 5) All shooters and single serving containers of beer or malt beverage in containers of 16 ounces or less shall be labeled with a with a sticker or other identifying mark to identify the location of the point of sale. A complaint was passed to Land Use Enforcement from the Assembly Chair that some of these provisions were being violated.

Hearings Completed:

<u>Hearing Type</u>	<u>Docket #</u>	<u>Hearing Date</u>	<u>Result</u>
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Inspections:

<u>Inspector / Inspection Type</u>	<u>Result</u>	<u>Inspected On</u>
------------------------------------	---------------	---------------------

Log Entries:

<u>Date</u>	<u>Log Type</u>	<u>Employee</u>
02/14/2020	Inspection	R.Fern

Service Request & Case Summary Report

Report Date: 2/14/2020 1:29 PM

Date
Log Type
Employee

02/13/2020
Log
E.Quiboloy-R

At approximately 10:30 a.m., Officer Brad Larson and I conducted an on-site inspection.

Discoveries:

1. Single serve flavored beer cans called "Sniki-Tiki" with alcohol content of 9.9% were \$1.99 each. The manager changed the amount immediately to \$2.49 per container.
2. The manager orders products in plastic container if available.
3. Shooters are sold for \$1.99 each.
4. Manager and counter worker said that they sell one or two shooters per customer per day.
5. Manager said that single-serving containers of beer or malt beverage are marked at the bottom with a sharpie prior to leaving the store.

(EPQ)

02/13/2020
Inspection
B.Larson

On 2/13/2020 at about 1030 hours, Officer Elaine Quiboloy-Reid and I inspected Mom and Pops Grocery a Liquor for compliance with their conditional use. We met the manager Eddy Lee. Below are the five criteria that we inspected along with the results.

1. No single-serving container of beer or malt beverage may be sold or offered for sale that has an alcohol content equal to or greater than 8.0% for less than \$2.49 per container.
Result: We found single-serve 16 oz. cans of Sniki-Tiki flavored beer, 9.9% alcohol, for \$1.99 per can. Lee immediately changed the amount to \$2.49 per can. He scanned a can to show the change.
1. Glass bottles of products shall not be sold if plastic container options for the same product are available locally.
Result: Lee said he orders plastic if available
1. No single-serving of an alcoholic beverage other than beer or wine may be sold or offered for sale in a container having capacity of approximately 50 ml or 1.6 oz, more or less, commonly known as miniatures, shooters, or airplane serving size bottles, for a price less than \$1.70 per container.
Result: Their shooters are \$1.99 each.
1. Licensee shall not sell more than two "shooters" to any one customer, per day.
Result: Lee said they will sell one or two to a customer in a day.
1. All shooters and single-serving containers of beer or malt beverage in containers of 16 ounces or less shall be labeled with a sticker or other identifying mark to identify the location of the point of sale.
Result: None of the single-servings were marked. Lee said they mark the bottom of the container with a check mark or initials with a sharpie before the customer leaves the store.

-Bradley Larson

02/14/2020

Log

R.Fern

Service Request & Case Summary Report

Report Date: 2/14/2020 1:29 PM

After conferring with Officers Quiboloy-Reid and Larson that they had confirmed a violation of the first condition that beer or malt liquor with an alcohol content of 8% or greater not be offered for less than \$2.49 per container, although corrected on site at the time of inspection, I conducted a follow up visit to the store on 2-13-20 at approximately 3:40 PM and behaved as a regular paring customer. I approached the counter with a 16 oz. can of Sniki Tiki Punch Cocktail that has an alcohol content of 9.9%. and asked for "shooters" of vodka. The counter attendant, an Asian male in his approximately late twenties, offered selections from a bottle rack to the customer's left side of the counter. I selected four "shooter" bottles of Burnetts vodka. The counter attendant then said he was only supposed to allow two shooters but said that I looked "ok" and proceeded with the sale in violation of condition four of the September 4, 2018 conditions letter. He then proceeded to use a sharpie type pen to make a mark on the bottom of all five containers. The total of the sale was \$10.45 with the canned cocktail at \$2.49 and the "shooters" at \$1.99 each which was in accordance with the conditions letter. A copy of the receipt is attached but the time listed is incorrect reading 4:22 pm. A photo of the marked containers is also attached.

**Mom & Pop's
Grocery
601 West 36th Ave
Anchorage, AK**

**02/13/2020 222222
#1945 4:22PM SERV.02 0002**

DPT.01	\$2.49
	4 @ \$1.99
DPT.01	\$7.96
***TOTAL	\$10.45
CASH	\$20.00
CHANGE	\$9.55

Feb 14, 2020 at 7:58:13 AM

4700 Elmore Rd

Anchorage AK 99507

United States



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: 2/27/20

License #/Type: 3745 Restaurant/Eating Place

Licensee: Two Seas, Inc.

Address: 3535 College Road, Suite 103 Fairbanks, AK 99709

DBA: College Town Pizzeria

AMCO Case #: AM 20-0270

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 Wednesday February 12, 2020 an inspection was conducted at your establishment. Front counter employee Terrell Ford was asked to produce proof of alcohol server education. Mr. Ford stated that he did not have one and had not pursued the alcohol server training. Mr. Ford acknowledged working for College Town Pizzeria for nearly six (6) months and had served customers alcohol on several occasions.

Your attention is directed to the following:

AS 04.21.025(c) Alcohol server education course.

AS 04.21.030 Responsibility of licensees, agents, and employees.

AS 04.16.150 Licensee responsible for violations.

As part of your response please provide a copy of your employee: Terrell Ford's alcohol server education card.

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

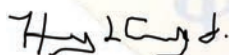
Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: H. Conway

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

From: [Randy Clavell](#)
To: [Davies, Jason M \(CED\)](#)
Subject: Re: College Town Pizzeria, #3745 Notice of Violation
Date: Thursday, March 12, 2020 6:29:38 PM

Sorry for the late response.

I have attached a copy of Terrell's TAPS card. It is our normal policy that each employee obtain a TAPS card within 30 days of hire. We usually note class times on the schedule for any new employee. I am not sure as to how Terrell slipped through and didn't attend the class. I am a huge believer that training is paramount. I will even give employees questions to ask during the class.

To insure that this does not happen again in the future I have added each employees taps card expiration date next to their name on the schedule. Also we are having employees that do not serve alcohol obtain a card. These Steps will allow us to see that each employee is in compliance every single week.

Randy Clavell

Sent from my iPhone

On Mar 12, 2020, at 1:54 PM, Davies, Jason M (CED)
<jason.davies@alaska.gov> wrote:

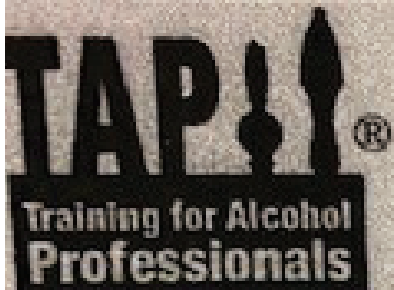
To Whom It May Concern,

On 2/27/2020 Investigator Conway mailed a notice of violation to 3535 College Road Suite 303, Fairbanks, AK 99709 and was signed and accepted on 03/2/2020. It is required by the licensee to send a response after ten days of receiving the notice of violation. This is a reminder that a response must be received by this office by the end of business today. If we do not receive a response either by email (you may respond to this email) or mail, another notice of violation will be sent for failure to communicate. If you have any questions, please call or email.

Regards,

<image001.png>

Jason M. Davies
Criminal Justice Technician II
AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov

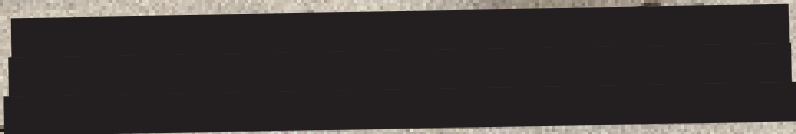


(not valid for use as identification)

CERTIFICATE # 176235

Terrell Ford

Name



Birthdate

Terrell Ford

Signature

[Handwritten signature]

EXPIRES ON

2/17/2023

800-478-2427 or 907-274-8133

www.alaskacharr.com

Instructor

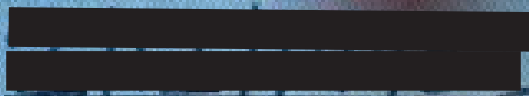


(not valid for use as identification)

CERTIFICATE # 171831

Amy Perry

Name



Birthdate

[Handwritten signature]

Signature

EXPIRES ON

800-478-2427 or 907-274-8133

www.alaskacharr.com



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: 3/3/20

License #/Type: 5455

Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: JSJ Group, LLC

Address: 5000 W. International Airport Road, Anchorage, AK

DBA: Sushi on the Fly

AMCO Case #: 20-0287

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 have an unreported change of ownership. Details are as follows:

Change in ownership:

Jung D Kim – originally 51%, changed to 100%

Jeffrey W. Graham- Originally 49%, changed to 0%

Date of unreported change of officers/ownership: 02/21/2019 or that we have record of changing

Your attention is referred to Sec. 04.11.050: Reports required of corporations.

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:

From: [Shawn Kim](#)
To: [Davies, Jason M \(CED\)](#); [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Re: Sushi on the Fly, #5455 notice of violation
Date: Thursday, March 19, 2020 1:04:17 PM
Attachments: [image001.png](#)

Hello,

In order to get compliant, we switched our ownership shares back to its original split and fixed errors on our license renewal application.

Please contact me at 907-444-3987 if you need any further information.

Shawn

On Thu, Mar 19, 2020 at 9:47 AM Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

To Whom It May Concern,

On 3/3/2020 AMCO mailed you a notice of violation which was received on 3/4/2020. It is required by the licensee to send a response after ten days of receiving the notice of violation. This is a reminder that a response must be received by this office by the end of business today. If we do not receive a response either by email (you may respond to this email) or mail, another notice of violation will be sent for failure to communicate. If you have any questions, please call or email.

Regards,



Jason M. Davies
Criminal Justice Technician II

AMCO Enforcement
Alcohol & Marijuana Control Office

550 W. 7th Ave, Suite 1600

Anchorage, AK 99501
Office (907) 754-3410
jason.davies@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: 3/3/20

License #/Type: 5860 Brewery

Licensee: Magnetic North Brewing Co, LLC

Address: 8861 Golovin St, Anchorage, AK 99507

DBA: Magnetic North Brewing Co

AMCO Case #: AM20-284

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 3/3/20 Investigator Hamilton and I were performing an initial inspection on Magnetic North Brewing Co at 8861 Golovin in Anchorage. We met with the owner, Jeremiah Christian. There was 14, 5 gallon carboys of fermenting beer and 11, 5 gallon kegs or beer ready for sale on the premises. Christian admitted that it was manufactured on the premises prior to being licensed. The beer was poured out and Christian was given a brewery 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.

***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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Rukes

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail - email

Date:

From: [Jeremiah](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Re: License# 8560
Date: Wednesday, March 4, 2020 1:05:42 PM

Yes, after sitting down and doing the math, dumping 125 gallons or 16,000 oz divided by 12 oz pours at \$7 per glass comes to \$9,300 potential sales.
As far the cost of materials, I will gather those receipts and email them in the morning.

Thank you for your Time,
Jeremiah Christian
(907)891-7406
Magnetic North Brewing Co

On Mar 4, 2020, at 11:47 AM, CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov> wrote:

Good Afternoon Jeremiah,

Please clear up for our department where the figure of \$9300 comes from. When we talked during the initial inspection you stated \$2000 worth of materials. When we spoke yesterday afternoon the figure was \$5000. This morning the figure is now \$9300.

Is this figure just the raw materials or does it include potential sales and labor? Please provide receipts within 3 business days. I have included a formal records request that lists the regulations that provide the authority.

Thanks,

<image002.png>

From: Jeremiah [<mailto:magnorthbrewing@gmail.com>]
Sent: Wednesday, March 4, 2020 11:06 AM
To: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Subject: License# 8560

License # 5860

In response to the violation on March the 3rd. I had interpreted title 4 to read as you may not sell alcohol before you have a license. I was then informed that it is also to include manufacture. I then poured \$9,300.00 of product down the drain. Going forward, to prevent a re-occurrence of this I will not manufacture, bottle or sell alcohol before a license is issued.

Thank you for your Time,
Jeremiah Christian
(907)891-7406
Magnetic North Brewing Co

<Records Request AMCO.DOCX>

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: 3/4/20

License #/Type: 4966

Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: SF Alaska, LP

Address: 16707 N. Tongass Highway, Ketchikan, AK

DBA: Salmon Falls Lodge

AMCO Case #: 20-0303

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 have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

SF Alaska Manager, LLC- originally 100%, changed to 6%
John C. Loeffler- originally 0% listed as affiliate only, now removed
ACG INVESTMENTS- originally 0%, not listed, changed to 1.67%
Caliber Hospitality LLC- originally 0%, not listed, changed to 10.33%
CDIF LLC- originally 0%, not listed, changed to 56%
GREG ESPIN- originally 0%, not listed, changed to 4%
Heavlin Management Company LLC- originally 0%, not listed, changed to 7.33%
Leslie Hospitality Consulting LLC - originally 0%, not listed, changed to 6.67%
LOWELL PETERSON- originally 0%, not listed, changed to 1.33%
TIM BLACKWELL - originally 0%, not listed, changed to 6.67%

Date of unapproved transfer: 03-09-2016

Your attention is referred to AS 04.11.040(c): Board Approval of Transfers

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:

From: [Matthew Herod](#)
To: [Davies, Jason M \(CED\)](#); chris@caliberco.com
Cc: [Hamilton, Joe \(CED\)](#); [Hoelscher, James C \(CED\)](#); [Jennifer Schrader](#)
Subject: RE: Salmon Falls Lodge, #4966, notice of violation.
Date: Thursday, March 19, 2020 10:21:41 AM
Attachments: [image001.png](#)

Jason-

Nice speaking with you on the phone. We are currently working with AMCO and below are bullet points that lead to this situation.

- Submitted Liquor License on time to AMCO
- Discovered change in ownership had not been communicated to AMCO therefore they could not approve our license
- Changed ownership structure back to original format so Liquor License could be approved through the CBPL.
- Was told over the phone by Randi Baker (AMCO) that as long as we submitted paperwork by March 13th we would be fine.
- Submitted change in ownership and updated tourism statement to AMCO on March 12
- Called AMCO on March 13 to verify they have received our paperwork, to which they replied they were glad I called because they would not have seen it in the queue.
- Was told by AMCO we will be on the agenda on March 31st for liquor license approval.
- Once we approved we will follow the correct steps to change ownership and notify AMCO.

Please let me know if you need more information.

Thanks,

Matt

From: Davies, Jason M (CED) [<mailto:jason.davies@alaska.gov>]
Sent: Thursday, March 19, 2020 10:52 AM
To: chris@caliberco.com; Matthew Herod
Cc: Hamilton, Joe (CED); Hoelscher, James C (CED)
Subject: Salmon Falls Lodge, #4966, notice of violation.

To Whom It May Concern,

On 3/3/2020 AMCO mailed you a notice of violation. The certified mail has been ready for pickup at your local post office since March 11th, 2020. I have attached a copy of the notice of violation to this email. It is required by the licensee to send a response after ten days of receiving the notice of violation. If we do not receive a response either by email (you may respond to this email) or mail, another notice of violation will be sent for failure to communicate. If you have any

questions, please call or email.

Regards,



Jason M. Davies
Criminal Justice Technician II
AMCO Enforcement
Alcohol & Marijuana Control Office

550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov