

**Attachment to Section 6, Page 4, Form AB-17: 2020/2021 Renewal License Application – Beverage Dispensary License 1269**

**Notices of Violation Issued to Licensee in the Calendar Years 2018 or 2019**

Notice of Violation AM19-0337, dated March 22, 2019

Resolved with new, improved signage and employee retraining.

(End of information on this page)

# 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: 3/22/19

License #/Type: Beverage Dispensary

Licensee: Three Bears Alaska, Inc.

Address: Mile 1312 Alaska Highway

DBA: Bear's Den Lounge

AMCO Case #: AM19-0337

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 02/22/2019 I was conducting a walk through at the Bear's Den Lounge when I noticed an outside seating area enclosed by a fence accessed from the inside of the licensed premises. While on the premises I saw two patrons step out into the outside area with their alcoholic beverages. The on-duty bartender told me the outside area was put in sometime around August 2018 and it was used a place for bar patrons to step outside with their drinks and smoke cigarettes.

I later checked the approved premises diagram on file with AMCO and found the current approved diagram did not include an outside area of the licensed premises. The outside area is located through the door marked as "EXIT" on the approved diagram on file. Your attention is drawn to 3 AAC 304.185: Licensed premises.

3 AAC 304.185. Licensed premises

(a) A license is issued for a specific place which is the licensed premises and which must be clearly designated in a line drawing accompanying an application. The address of the licensed premises and the business name under which the licensee is doing business at that address must be indicated on the license application.

(d) A licensee may not alter the functional floor plan, reduce or expand the area, or change the business name of the licensed premises without the prior written approval of the director. The licensee must provide a new line drawing showing the proposed changes in the premises. A licensee must pay a fee of \$250 for changing the business name or line drawing of the licensee's licensed premises when the name or line drawing change is not part of a transfer of ownership or location. A request for a business name or line drawing change for licensed premises not part of a transfer must be made on a form prescribed by the board.

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

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

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

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

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

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:



## THREE BEARS ALASKA, INC.

445 N. Pittman Road, Suite B  
Wasilla, Alaska 99623  
☎ (907) 357-4311 📠 (907) 357-4312

April 1, 2019

*Via email & hand delivery*  
*amco.enforcement@alaska.gov*

Alcohol & Marijuana Control Office  
Attn: Enforcement  
550 W. 7<sup>th</sup> Ave., Suite 1600  
Anchorage, Alaska 99501

Re: Notice of Violation No. AM19-0337 for License No. 1269

Ladies and Gentlemen,

We received the attached Notice of Violation (the "*Notice*") this Monday, March 25, 2019, via certified mail, and this letter is our required response to the Notice.

In order to prevent the reoccurrence of any violation like the violation referenced in the Notice, we have taken the following actions:

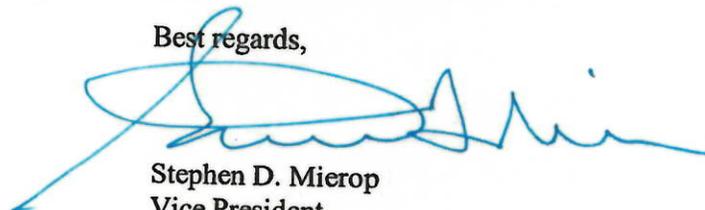
1. We have put a new sign on the door that exits out to the partially enclosed smoking area (please see attached photo). Please also note that we had similar signage on that door from the beginning of our operating this location. However, we had a series of ongoing renovations at this location (now virtually complete) and our best guess is that prior signs may have gotten damaged (there were some roof leaks and water penetration) and at some point either the old sign or a new sign did not get put back up. The new sign in the photo is a sticker that is very hard to remove and we're having another one made that will be a vinyl sticker that will be impervious to water damage and will be next to impossible to remove.

2. We have retrained all staff to make sure that they enforce what the new sign says and that they do everything in their power to prevent anyone from taking any alcoholic beverages out into the partially enclosed smoking area. Staff has also been instructed that if anything happens to the sign, they are to replace it right away with a new sign.

Please note that we are also open to taking any other actions you might recommend as we consider this to be a very important matter.

Please do not hesitate to contact me (907-980-0721 or [steve@threebearsalaska.com](mailto:steve@threebearsalaska.com)) with any questions or if you would like us to take further action regarding this matter.

Best regards,



Stephen D. Mierop  
Vice President

AMCO

APR - 1 2019

Attachments – as stated



Three Bears Alaska, Inc.  
License #1269  
Notice of Violation AM19-0337  
Photo of Corrective Action



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-17: 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 liquor license that are 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:	Three Bears Alaska, Inc.	License #:	1269
License Type:	Beverage Dispensary		
Doing Business As:	Bear's Den Lounge		
Premises Address:	Mile 1312 Alaska Hwy		
Local Governing Body:	None		
Community Council:	None		

Mailing Address:	445 N. Pittman Rd., Ste. B		
City:	Wasilla	State:	AK
		ZIP:	99623

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:	Steve Mierop	Contact Phone:	907.980.0721
Contact Email:	steve@threebearsalaska.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:	Joan Tradostino	Contact Phone:	907.257.7839
Contact Email:	tradostino.joan@dorsey.com		



# Form AB-17: 2020/2021 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 visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	24136D
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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.

Initials

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:	David A. Weisz			
Title(s):	President; Director; Shareholder	Phone:	907.357.4311	% Owned: 10.45
Mailing Address:	445 N. Pittman Rd., Ste. B			
City:	Wasilla	State:	AK	ZIP: 99623

Name of Official:	Rachel A. Sanford			
Title(s):	Vice President; Treasurer; Asst. Secretary; Director	Phone:	907.883.4324	% Owned:
Mailing Address:	P.O. Box 189			
City:	Tok	State:	AK	ZIP: 99780

Name of Official:	Paul D. Sonnenberg			
Title(s):	Vice President; Director	Phone:	907.357.4311	% Owned:
Mailing Address:	445 N. Pittman Rd., Ste. B			
City:	Wasilla	State:	AK	ZIP: 99623



# Form AB-17: 2020/2021 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 visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	241361
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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 **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:	Stephen D. Mierop				
Title(s):	Vice President; Secretary	Phone:	907.357.4311	% Owned:	
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

Name of Official:	William B. Eckhardt				
Title(s):	Director	Phone:	907.357.4311	% Owned:	
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623

Name of Official:	Three Beas Investment Group, LLC				
Title(s):	Shareholder	Phone:	907.357.4311	% Owned:	77.63
Mailing Address:	445 N. Pittman Rd., Ste. B				
City:	Wasilla	State:	AK	ZIP:	99623



# Form AB-17: 2020/2021 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

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

This individual is an:  applicant  affiliate

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

## Section 4 – Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub** license or **conditional contractor's permit**. The holders of all other license types should skip to Section 5.

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.



# Form AB-17: 2020/2021 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.

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 Board.

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.

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.

By: Stephen D. Mierop  
Signature of licensee

Patricia Ann Nelson  
Signature of Notary Public

Stephen D. Mierop  
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 08/22/2022

Subscribed and sworn to before me this 4th day of March, 2020.

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):					

**PATRICIA ANN NELSON**  
Notary Public  
State of Alaska  
My Commission Expires  
August 22, 2022